

not recall ever hearing any one suggest that that should be the case, in any discussions I have had on the Delaney clause.

There exist a number of safety standards which apply to food under the Federal Food, Drug and Cosmetic Act. Some of these standards overlap—that is, more than one standard may apply to a food or food ingredient or constituent, depending on the particular circumstances.

First, there is the general adulteration standard under section 402(a)(1) of the FD&C Act. This section, which applies to food generally, says that a food is deemed to be adulterated (that is, unsafe) if:

It bears or contains any poisonous or deleterious substance which may render it [the food] injurious to health; but in case the substance is not an added substance such food shall not be considered adulterated under this clause if the quantity of such substance does not ordinarily render it injurious to health.

This safety standard has two parts. For poisonous or deleterious substances added to food, the food is adulterated if the substances may render the food injurious to health. For substances which are not added, that is, they are inherent or not the result of human activity, the adulteration standard is ordinarily injurious to health.

These two principal adulteration standards have been bulwarks in the legislative and regulatory scheme to ensure the safety of food for decades. Indeed, numerous courts have had occasion to interpret these provisions, for example, in *U.S. v. Boston Farm Center, Inc.* (590 F.2d 149 (4th Cir. 1979) and *United States vs. Anderson Seafoods, Inc.*, 622 F.2d 157, (5th Cir. 1980).

These standards remain unamended in S. 343 and would continue to guarantee the safety of our food supply.

Second, it is important to note that the adulteration standards found in section 402(a)(1) are independent of the requirement that such food ingredients as food or color additives be shown to be safe. Or put more simply, any legislative change to section 409 dealing with food additives, for example, would not affect the adulteration standards in section 402(a)(1).

In fact, FDA has used the 402(a)(1) standard to permit quantities of substances, including recognized carcinogens such as aflatoxin—a naturally occurring toxicant from mold which particularly affects peanuts—to be in food. In such a case, FDA has typically employed risk assessment to determine the level of the carcinogenic poisonous or deleterious substance that presents only an insignificant risk.

Third, numerous other safety standards are set forth in section 402 of the FD&C act. One of the principal additional standards provides that a food is adulterated if it contains a poisonous or deleterious substance which is unsafe within the meaning of section 346.

Section 346 provides that a food containing a poisonous or deleterious sub-

stance is unsafe for purposes of section 402, and thus is adulterated unless the substance is required in the production of the food or cannot be avoided by good manufacturing practice.

It is under the principals of section 346 that FDA has regulated environmental contaminants, including such substances as PCBs, a particularly toxic group of chemicals once widely used in industrial production, and PBBs, a flame retardant that was mistakenly applied to food in Michigan.

FDA has implemented this section through the use of action levels and tolerances, which are announced levels of the toxic substance that will be permitted in food.

As Professor Richard Merrill observed in "Regulating Carcinogens in Food: A Legislator's Guide to the Food Safety Provisions of the Federal Food, Drug and Cosmetic Act," (77 Mich L.Rev. 171 (1978), "Most notably section 406 . . . does not unequivocally preclude the marketing of food that contains an added carcinogenic substance." Professor Merrill adds that "FDA has taken the position that it may establish a tolerance for a contaminant shown to be carcinogenic—and thus 'approve' its presence in food in quantities below the tolerance."

As is the case with respect to section 402(a)(1), the legislative language contained in S. 343 has no effect on the important safety standard found in the interplay between sections 402(a)(2)(A) and section 406.

Fourth, section 402 contains numerous other standards related to the safety of food, including those that pertain to food that contains filthy, putrid or decomposed substance, that has been prepared under unsanitary conditions, that contains unlawful pesticide residues, or if the package of the food contains a poisonous or deleterious substance that may render the food injurious to health, (the same standard as set for in section 402(a)).

The second point on which I would like to comment is the contention that not defining insignificant or negligible risk in legislation language is a bad idea.

I take vigorous exception to the idea that the Congress should define these terms in law. Imposition of the zero risk standard by legislative fiat is what led to the Delaney dilemma in the first place.

When Congress first enacted a Delaney amendment in 1958, scientists were not able to detect potentially carcinogenic substances at the parts per million, or parts per billion, levels as they are today. Does this mean that we should lock into the law a one in a million lifetime risk of cancer standard? I think not. What our bill does is allow the agencies to make these definitions. This will allow the law to grow with the science.

In closing, Mr. President, let me reiterate my continued commitment to Delaney reform which both protects the public health and is consistent

with sound scientific and regulatory principles. This is long overdue.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 21, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

Mr. LIEBERMAN. Madam President, I rise to speak in favor of the proposal which I am privileged to cosponsor with the distinguished majority leader and many others of both parties, which would finally lift the arms embargo and do some justice in the former Yugoslavia, by replacing a policy of inaction or half actions that has failed to stem the conflict, has failed to stop aggression, and has failed to protect the victims of that aggression, whose pain we see each night on our television sets.

Madam President, this is a genuinely bipartisan or nonpartisan effort, as it should be, as American foreign policy has traditionally been at its best—above party consideration.

Senator DOLE and I began this effort in 1992 when the incumbent in the White House happened to be a Republican, President Bush. We have continued in 1993, 1994, and 1995, with President Clinton in the White House.

Sadly, each time that we have raised this question of lifting the arms embargo and using allied air power selectively, we have been met with different excuses. A defense, not even really so much a defense of the existing policy, but criticisms, complications, unintended results, that might occur if the arms embargo was lifted.

In that, I think, and I will get to that in a moment or two, we have failed not only to see what was happening on the ground, but to listen to the victims of the aggression. The Bosnians have said repeatedly, over and over again, "We don't want American soldiers on Bosnian soil. We don't need American soldiers on Bosnian soil. We have troops on Bosnian soil, they are Bosnians—in excess of 100,000. They are motivated, understandably, to fight to defend their country, their communities, their families, themselves. Just give us the weapons with which to defend ourselves."

Madam President, we rise again, a bipartisan group. Several tries at lifting the arms embargo having failed, this time we act with some sense of hope that we will be able to achieve, perhaps

later today, a strong bipartisan statement that it is time to change our policy. Give the Bosnians the weapons they deserve. Stop denying them their inherent right to defend themselves, a right we have as individuals, the right Bosnians have as a nation, under international law, under the charter of the United Nations.

This is a bipartisan call. Let me read the names of some of the others who are cosponsoring S. 21: Senator HELMS, Senator THURMOND, Senator BIDEN, Senator D'AMATO, Senator MCCAIN, Senator FEINGOLD, Senator WARNER, Senator HATCH, Senator KYL, Senator MOYNIHAN, Senator STEVENS, Senator COCHRAN, the distinguished occupant of the chair, Senator HUTCHISON, Senator MACK, Senator COVERDELL, Senator PACKWOOD, Senator MURKOWSKI, Senator SPECTER. And I am pleased now, Madam President, to ask unanimous consent that Senator CRAIG of Idaho be added as a cosponsor to amendment No. 1801, a substitute to S. 21.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Yesterday, Secretary Perry, the Secretary of Defense, and Secretary of State Christopher, visited with both Republican and Democratic Senators, to report on events that are going on in former Yugoslavia, to discuss some new options, for it sounds like a more vigorous policy, particularly the employment, more aggressively, of NATO air power, and to ask the Senate to delay taking this measure up and lifting the arms embargo, saying it is the wrong time to do it, with the discussions going on now.

Madam President, I have the greatest respect for Secretary Perry and Secretary Christopher. They are distinguished public servants. They have served with extraordinary skill, I think, in their respective positions, but I respectfully disagree with them. I hope that my colleagues will reject this call, this latest call, to delay action on lifting the arms embargo.

I particularly appeal to my democratic colleagues who may have some understandable reluctance to oppose the President. I strongly support the President in general. I just respectfully and sincerely and deeply disagree with the policy the administration has followed in regard to Bosnia.

Madam President, President Clinton, in the campaign in 1992, advocated the policy that I thought then held the best hope of a reasonable solution in Bosnia, and I still think does, which is to lift the arms embargo and strike from the air at Serbian targets, on the basic premise that there is an aggressor here and a victim. The aggressor is Serbia, led by President Milosevic.

As I recounted last night, history will show and the record shows that beginning in 1988, President Milosevic of Serbia took a series of steps—clear, concerted, intentional—to create a greater Serbia by taking advantage of the instability that existed in Europe

as a result of the end of the cold war, the coming collapse that could be seen as the years went on. The entity of Yugoslavia began this concerted effort through aggression and other means, to move into Srebrenica, Croatia, to be more aggressive, and control the Albanian majority in Kosovo—aggressive is a tame word; abusive is a correct word—and to move into Bosnia, using Serbian agents, as it were, that is to say Serbs who lived in Bosnia and Croatia, as a fighting force, augmented, supplied, and in some cases actually supported right there by members of the Serbian armed forces—a clear stream of aggression.

President Clinton saw that, I think, in 1992, and brought the policy of lift and strike into office with him, understanding, making the point that if aggression is allowed to go unresponded to, there will be more aggression. History shows us that. Common sense shows us that. If you let common criminals on the streets of any city or town in America continue to hold people up, abuse them, commit acts of assault and battery, larceny, and murder against them without the law taking any stand against that, without threatening them, without forcing them to have any fear, they will continue to do it. And that is exactly what has happened in the last 3½ to 4 years in Bosnia.

In the spring of 1993, Secretary Christopher went over to Europe to speak to our allies in Britain and France, advocating the policy of lift and strike. They refused to go along. And that was the end of that policy for this administration.

So I say to my colleagues, as we listen to the appeals that will be made today by our friends and our leaders in this administration, that, really, what we are asking in putting forward S. 21 today is that the administration be given a chance to implement the policy that it brought into office with it and that was essentially blocked in implementation by some of our good friends and allies in Western Europe who had a different point of view.

At every step, when we have raised the idea of lifting the arms embargo, there has been another reason why it was the wrong time. Earlier it was the wrong time because the United Nations had to be given an opportunity to work its will, or the Owens-Vance peace mission had to be given an opportunity to work its will, or the Serbs had to be given a chance with the Bosnians to accept the peace proposal. It was very detailed, very fair—not so good for the Bosnians, because it left them with about 20 percent of the land that they had before the Serbian aggression began—but give them a chance to accept it. The Bosnians accepted it. The Serbs did not. It was the wrong time to lift the arms embargo because if it was lifted, people said to us, U.N. personnel who are there will be seized as hostages.

The arms embargo was not lifted. The Bosnians continue to be victims of aggression, torture, ethnic cleansing, rape, murder—and yet, as we have seen, tragically, the U.N. personnel were seized as hostages.

Then it was said last year, when we brought up this proposal to lift the arms embargo, you cannot lift the arms embargo, this will anger the Serbs. They will have no reason not to go into the safe areas that the United Nations has created for a humanitarian purpose, to protect the Bosnian victims. We did not lift the arms embargo and what has happened in the last couple of weeks? The Serbs moved into these undefended safe areas like Srebrenica, forcing out thousands—older people. I hate to see those pictures of those old women and men, forced marches, dropped off in the middle of the night in a no-man's land between the Serb and Bosnian forces, forced to walk their way across difficult terrain to find their way to Bosnian territory to get some food and shelter. The harrowing stories of young women taken away by Serbian soldiers from their families for God knows what reason. Young men of military age removed on trumped up charges that they were going to be investigated as criminals or terrorists.

We have seen it before in this conflict. We saw—most notably in 1992 when British television crews found their way to what I would call concentration camps—what happens to these Bosnian men when they were taken away by Serbian forces: the emaciated bodies, the horrible echoes of the Second World War.

They said, if we lifted the arms embargo, we would see this again, what we saw in 1992. We have not lifted the arms embargo, and the Serbs carried all of this out, all these atrocities again.

Did you read the story of the 20-year-old woman, a Bosnian woman, found hanging from a tree at her own hand, blouse and skirt blowing in the wind? People could not really explain what had happened, except there were allegations that she had been taken away by the Serbs, perhaps raped, perhaps abused, perhaps separated. There was no family. No one knew who she belonged to. There were only rumors. Had her parents been separated from her? Did a husband get taken away as a person of military age? These are the consequences of Serbian aggression and the consequences of leaving a people undefended.

Wrong time? Now the argument is that it is the wrong time to lift the arms embargo because of the horrific events in Bosnia in the last couple of weeks—the fall, the conquest of an undefended city. It was no act of bravery by the Serbian forces. There were 40,000 people there with an army whose weapons had been put into the U.N. compound, and U.N. soldiers, Dutch soldiers, brave Dutch soldiers, put into an impossible position with light arms

to defend themselves against a Serbian invasion with heavy weapons—tanks, armored personnel carriers, sophisticated weapons. This was no brave military conquest.

As a result of the horrors we are seeing, we are now seeing a pickup in the pace of Western concern, responding to the Western public, who are obviously, all of us, outraged by these atrocities being committed against the Bosnian people. President Chirac proposes that the United Nations should become more aggressive in defending the safe areas, or get out. He is right. The United Nations has become a cover for Serb aggression. Every time the Serbs strike, in fear of reprisal they grab some U.N. soldiers as hostages and frustrate, emasculate, nullify any Western will to take action against them.

And what is the response from Britain and the United States to Chirac's proposal? Uncertain, although now there seems to be a genuine interest in the more aggressive use of NATO air power, at least to protect the safe havens, but also to put the Serbs on notice that other Serbian targets in Bosnia and beyond may be vulnerable.

So we are now asked not to take action on lifting the arms embargo because it somehow may affect the pace of these negotiations about the use of air power. I do not get it. I do not understand that argument. First, I think it is wrong. I think it is wrong to give us yet another argument why we should not be lifting the arms embargo, particularly as every passing day brings more powerful, painful evidence of the failure of the current policy. But it does not make sense. If the United States now, our Government, wants to be part of a more aggressive use of NATO air power to protect and give some meaning to the safe havens, it seems to me if this Senate, in a strong bipartisan majority, rises up and adopts S. 21, we are saying not just to lift the arms embargo, we are crying out. We are saying, united as Americans, as leaders, representatives of the people of the greatest power in the world, a power that has built its strength not just on military might but on the might of its morality, that this policy that the West has been following in Bosnia is a failure.

I think for that message to be in the air, if we can pass this overwhelmingly today on a bipartisan basis, that message in the air as the allies gather again in London on Friday to discuss what course to follow can only help. It can only strengthen the hand of our representatives there, Secretary Perry, Secretary Christopher, to say, look what the Senate of the United States has said now by an overwhelming majority, perhaps even a veto-proof majority: We must strengthen the U.N. posture or we must get out and lift the arms embargo.

So, Mr. President, the time has come. It is long past due. The hour is late in Bosnia. The suffering has gone on

there. There is no perfect, no guaranteed solution. But what we clearly know is that the current policy has failed. It has failed for the Bosnian people, it has failed for NATO, for the United Nations, and for the United States. It is time to try the alternative, and this is the alternative.

I thank the Chair.

I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, thank you.

Mr. President, I want to commend the Senator from Connecticut for his leadership in this area and for being the cosponsor with our majority leader on this very important resolution in a bipartisan effort. The Senator from Connecticut has been consistent. He has been there from the beginning, when we started talking about this issue over a year ago. I thank him once again, after what has happened in the last week, for coming forward and saying "enough is enough."

Mr. President, it is time for the United States to end this failed policy of leaving the Bosnian Moslems defenseless. Time after time, Mr. President, we have returned to this debate, and we have watched more people ravaged in Bosnia as we ponder the issue. We cannot continue to wring our hands and withhold from the Bosnian people the means to fight for their own freedom. The time has come for us to end this debate and lift the arms embargo. If we have to do it unilaterally, we must, or in concert with our allies, if we can.

An old adage says it is preferable to die fighting on your feet than to live begging on your knees. I doubt there is a Senator in this body who disagrees with that statement. But it is clear that the Bosnians have made their choice, and it is to fight on their feet.

The Bosnians are not asking us to arm them. They are not asking for American troops to defend them. They are simply asking to be allowed to fight their own fight. It is unconscionable for us to continue to deny them that basic right for survival and liberty. What we have now is a blood-stained policy which denies them the means of defending themselves. And it is one that we should no longer countenance.

Two months ago, Mr. President, I returned from visiting our forces in Macedonia and Croatia more concerned than ever that we are perilously close to direct involvement in this Eastern European conflict. Today, the administration is considering a request from our allies which will only draw the United States deeper and deeper into an implacable situation. The French Defense Minister recently called for the United Nations to expand its mission in Bosnia and to assume a more aggressive stance against the Bosnian Serbs, including more airstrikes and a larger U.N. ground force.

I believe for us to participate in such a plan would be a grave mistake. I have been totally opposed to sending United States ground troops into Bosnia, and in the light of recent developments, my resolve is even stronger. Any decision to involve U.S. forces in additional air support roles would move us two steps closer to a United States ground presence in Bosnia.

The shutdown of Capt. Scott O'Grady served to remind us that providing air support is not without cost. It has the real potential of mission creep—involving us deeper and deeper in this conflict. And make no mistake, we are on the brink.

I have heard the discussions evolve about what is help for extraction of our troops. Is it reconfiguration of our troops anywhere within Bosnia? Is it an emergency? Now we are talking about using American helicopters. American helicopters are the beginning of ground involvement, and we cannot let this happen.

It is clear that the United Nations is conducting a peacekeeping mission in a region where there is no peace. There is no peace in sight. The United Nations is paralyzed and unable to respond and unwilling to retreat.

Last week the Bosnian Serbs attacked a U.N.-designated safe area of Srebrenica. They routed Dutch U.N. forces. They took U.N. forces hostage and drove the inhabitants of the so-called safe area out of their homes—the same inhabitants we have denied the ability to fight for their homes. Even as we debate this matter right this minute, the Serbs are overrunning U.N. outposts and assaulting another supposed safe area, Zepa, with artillery and armored vehicles.

According to the administration, its reluctance to lift the arms embargo stems from the fear that if the embargo should be lifted, the Bosnian Serbs would only be encouraged to go on the offensive and press their attack on the Bosnian Moslems. Encouraged? What is happening now this very minute? I do not think you could say by any stretch of the imagination that anything we would do would change the encouragement that they are now receiving to do the atrocities that they are doing.

This seems to me to be an empty excuse when they are already clearly on the attack. The refugees fleeing Srebrenica and Zepa provide ample evidence of the failure of this embargo where only one side of the conflict is disarmed.

Secretary Christopher said yesterday that lifting the arms embargo unilaterally would force the withdrawal of U.N. troops. I am sorry to say, Mr. President, that would be a positive development. It is the status quo that represents failure. This resolution that we are debating is an acknowledgment that the U.N. can no longer function in Bosnia until both sides are ready to sit down at a table and negotiate peace.

The United Nations is an effective peacekeeper when both sides are seeking peace. This is not the case in

Bosnia today. As Bosnian Foreign Minister Muhamed Sacibey said so eloquently just this week, "The U.N. troops have become a hindrance * * * a clumsy reminder of the U.N.'s failure."

The Bosnians need more than bread flown in on a U.N. airlift. The Bosnians need to be able to defend themselves, to get their country back in order. The United Nations has shown that it cannot and will not perform that vital role. So it is time for the U.N. to step aside. Fleeing Bosnian Moslems reportedly have seized weapons from the Ukrainian U.N. forces. Ironically, those seized weapons may represent the most concrete peacekeeping effort yet provided by the U.N. forces to the Bosnians.

I urge the President to turn away from this most recent in a long series of shifts in our American policy. Instead, he should be encouraging the United Nations and our allies to withdraw as swiftly as possible and then lift the arms embargo so the Bosnian Moslems can defend themselves.

Last year when I met with Bosnian Vice President Ganic in the Senate Armed Services Committee, where the distinguished Presiding Officer also was present, he made a poignant appeal. And then he said apologetically, "I realize I am emotional about this issue."

I thought to myself, this man is apologizing for being emotional when his people are unarmed and under assault, his families are being brutalized and murdered, and we in the West are the ones who should be apologizing for denying those people a basic right that we all acknowledge, the right to defend their country.

We have a moral obligation to uphold a U.S. doctrine articulated by Presidents from John F. Kennedy to George Bush: We will lend our support to oppressed people who are willing to fight for their freedom.

It is not always our responsibility to fight for those people, but we certainly ought to be willing to support them in the other ways that we can, and we certainly should not deny them the right to fight for themselves. This is an American principle that we must uphold.

During his compelling testimony before the Armed Services Committee, Vice President Ganic talked of our sacrifices on D-day, but he warned us that 50 years after the defeat of fascism in Europe, it is once again there on the rise in the form of genocide and oppression against the non-Serbian populations of Bosnia.

When a few of us visited with the Prime Minister of Bosnia just 3 weeks ago, he said, "I am puzzled by the U.N. which keeps saying there are two sides to this issue." He said, "There are two sides. One side is shooting and the other side is dying." Not exactly, Mr. President, a level playing field.

Bosnia's Foreign Minister told reporters yesterday, "We are not waiting for anyone anymore. We are not asking

for troops to be sent to Bosnia. We are only prepared to count on ourselves and no one else."

Mr. President, we can no longer continue to leave Bosnia defenseless against a well-armed Serbian aggression. The United States has acted unilaterally before, and we will again. We are the leader of the free world. We must lift the arms embargo. Vice President Ganic said, "We are dying anyway. Let us die fighting, fighting for our country."

Mr. President, the time has come for the Senate to heed their pleas and set a date certain for lifting this arms embargo.

I thank the leaders of this effort, Senator DOLE, Senator LIEBERMAN, and the other cosponsors of this very important resolution.

We have talked about this enough. The time has come for us to act decisively as the leader of the free world.

I thank the Chair. I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, first, I thank my distinguished colleague and friend from Texas not only for her support of this call for lifting of the arms embargo but for a powerful and eloquent statement of moral principle as well as strategic interest and just good common sense.

Mr. President, I am very pleased at this time to ask unanimous consent that the distinguished occupant of the chair, the Senator from Idaho [Mr. KEMPTHORNE], be added as an original cosponsor of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I say to my colleagues or any staff who are following the proceedings in the Chamber, that I am going to continue for a while to deal with some of the issues which I think are involved in this debate, but I am more than happy to yield the floor to any colleagues who wish to speak on this proposal as they come to the floor.

Mr. President, let me focus for a few more moments on the appeal that will be made today again that this is the wrong time to lift the embargo, the wrong time for the Senate to speak out because of the increased pace of discussions between the United States and our allies in Europe about a more robust policy to follow against Serbian aggression or for implementation of the U.N. policy.

I have said a short while ago here that on every occasion when we have proposed lifting the arms embargo, there has always been another reason why people have said to us this is the wrong time. I truly hope and pray that my colleagues will not listen to these entreaties and will join in the strong, bipartisan, nonpartisan outcry against the current policy and plea for implementation of the right of self-defense

of the Bosnian people, to which Senator HUTCHISON has so eloquently spoken.

The other fact, in addition to the one I cited earlier, about why I believe passing this proposal will in fact strengthen the administration's hand in discussions with our allies for a robust policy is that it shows not just the impatience but the growing opposition, the strong opposition, the nonpartisan opposition to the current policy. It cannot be sustained anymore. It is not being sustained on the ground in Bosnia, and it cannot be sustained in the political representative community that we are for the American people.

It is in that sense simply unfair of the Europeans to continue to press this administration to follow a policy that is not the one of lift and strike that it brought into office.

The other thing to say about the timing may be a sad fact, but it is true that there is a temporal discontinuity between what may happen in this Chamber today, hopefully, perhaps tomorrow, in adopting this proposal and what is happening on the ground and the suffering of the Bosnian people and continued aggression of the Bosnian Serbs, as Zepa, effectively undefended, is about to fall; which is to say that even if we adopt this proposal, hopefully by a strong, overwhelming majority, that does not mean it becomes law. Something has to be done by the House. Either this will go to the House or the House will take up a separate proposal. I gather the latter is the more likely course. Then, as this Government of ours works, it will go to a conference committee. That will take some time. And then it will go to the President, and he has some period of time to decide in the normal course whether to sign or veto the proposal.

So do not worry. If I were a Bosnian on the ground suffering, watching my country being taken away from me, watching tens of thousands of my country men and women being forced out of their homes, watching people being raped and murdered, I would worry about the timing, but for those who counsel against action today because of what may happen in London on Friday, do not worry about it. Do not worry about it. Unfortunately, there will be plenty of time, even if we adopt this proposal today or tomorrow, before the arms embargo is actually lifted.

Mr. President, let me now go on to talk about some of what happens on the ground today in Bosnia and what I think is the attitude we have allowed to develop among the leadership of the Serbs and the Bosnian Serbs, which is a wanton disrespect of international order and morality and law.

A story on the radio today that I heard coming in is that as these discussions of a more aggressive Western NATO policy in Bosnia—not to try to turn back Serbian aggression, which has already taken well over 70 percent of the country—but discussions are

going on about a more aggressive NATO policy to protect the safe areas, to give some meaning to the word "safe" to make it other than ludicrous, which is truly what it was, ludicrous and horrific for the 30,000 or 40,000 in Srebrenica who did not find that town to be a safe area. In other words, we are talking now about using Western air power and stronger defense forces to give some meaning to a resolution of the United Nations to create six safe areas in Bosnia, one of which has fallen, another of which is about to go, a resolution that I must say has the same source as the arms embargo, which we have painfully respected for so long and at such cost for everyone.

And what is the response of the Serbs to even the discussion of more forcefully enforcing an act of international law, of the international community, of the United Nations? Mr. Karadzic, the President of the Bosnian Serb nation, operating out of Pale, says he warns the Western Powers that Bosnian Serb forces will shoot down any Western planes or helicopters that come in to defend the safe areas. Can you imagine the outrage here, the outrage that we have created? If you again let an aggressor go on and do not make them pay for their aggression, if they are rewarded for their aggression, if they essentially laugh at the United Nations, NATO, the Western World, what is the hope for order, for morality in an international society, in the post-cold war? What is the next step?

Basically the Chirac proposal to protect the safe zones is really like a local police force saying it is going to carry out the law in a local area, and the criminals saying, "If you bring police cars into this area to carry out the law, we are going to throw hand grenades at the police cars." What would our reaction to that be? But that is what we have invited here by our inaction.

We have allowed not a great army, we have allowed a second-rate army, to put it mildly, to hold at bay, to take aggressive action, to punish, not just the Bosnian people, but the greatest military alliance in the history of the world; namely, the North Atlantic Treaty Organization. We have sent in these courageous soldiers wearing the blue helmets of the United Nations saying they are not combatants, giving them light arms, refusing repeatedly under this bizarre, ridiculous dual-key approval approach where NATO troops under fire wearing the U.N. uniform have to get the approval of the U.N. political authorities; namely, Mr. Akashi, to fight back, to call in air power. Efforts to call for strikes have been repeatedly frustrated and turned down. So we send in the United Nations and basically give these heroic soldiers wearing the blue helmets a mission impossible. And what we have done is diminish the credibility of this great allied force, this NATO force which held the Soviet armies at bay for the duration of the cold war and now is being made a fool of by a second-rate mili-

tary in Serbia, such that the political leader of those Serbs says this morning, has the nerve to warn the West, that his forces will shoot down Western helicopters if they dare to enforce the law, which is to say to protect civilians in safe areas. That is what we have come to.

Uncertainty, irresoluteness, weakness in the face of aggression will always draw more aggression. There is no reason to stop.

Others say that if we lift the arms embargo we will Americanize the war. My first answer to that is the answer that Prime Minister Silajdzic respectfully gave when he was here a while ago. The Prime Minister of Bosnia said in one sense the war has already been Americanized. It is a tragic sense. It is a painful sense, which is to say that the continued American support of the arms embargo, the continued refusal to allow not just that we supply the Bosnians with weapons to defend themselves but that we make it difficult for others to do so, we continue to support this policy in the world community that effectively is America taking a position in this war. Certainly it is so on a moral basis that we have by our continued support of the arms embargo had an effect. We have Americanized the conflict by denying weapons to one side. And of all the bizarre and crazy results, we are denying weapons to the victims of aggression.

Mr. President, as I said last night and I repeat here briefly, there is a tragic history and story to be told here about the origins of this embargo. It began in 1991 when Yugoslavia had not quite broken apart. And it was requested by the Government in Belgrade, the same government of Milosevic that has carried out this policy of aggression for the purpose of creating a greater Serbia.

Why was it requested? Well, with some naivete let me say why I think a lot of people voted for it. The theory that was being presented was that if we closed the flow of arms into the Balkans, we would stop the outbreak of war there. And in 1991 it was possible for people of good faith to accept this argument, which looking back today is preposterous.

But what is even more infuriating is that this arms embargo was requested by the Government in Serbia. And why did they request it? Because they had all the arms they needed. History and fate made it such that the warmaking capacity, the munitions, the military equipment of the former Yugoslavia were almost totally in what became Serbia, operating out of Belgrade.

So I have viewed the arms embargo and certainly the request to support for it by the Government in Belgrade in 1991 as a cynical act which was done with full knowledge of their own intentions, the intention of the Government in Belgrade to begin aggression to extend their domain as a way to prevent their soon-to-be victims from obtaining weapons.

That is the sad and twisted history of this embargo, which some have now raised to the level of great international law. It was an act of politics, an act of policy for some, a well-intended attempt to stop war from breaking out once again in the Balkans.

But how can we have sustained that policy when on the ground it was clear that war had broken out, and the impact of the embargo was to deny one side, the Bosnians, the means with which to defend themselves while the other had plenty? So in response to this argument that lifting the arms embargo Americanizes the war, I offer the statement of the premise that unfortunately America's enforcement of the arms embargo Americanizes the war. There is an extent to which we have blood on our hands here by our inaction, if you will, although it is action. And insofar as we have continued to support the arms embargo, second, in a more direct sense, the war has already been Americanized.

As I have said here before, weakness in the face of aggression encourages more outrageous aggression. And the most powerful testimony to that could be offered by Captain O'Grady in his F-16, taking off on a flight as part of Operation Deny Flight which was the United Nation's effort to enforce the no-fly zone which also was an act of the U.N. Security Council.

What is the no-fly zone? The no-fly zone was the attempt after the initial mistakes of the United Nations to try to tone down the conflict acknowledging that most of the planes in the region were from Serbia. To keep them on the ground or at least not give them that brutal advantage from the air. So Captain O'Grady leaves on this mission flying this American plane, this F-16. As I indicated last night—I will say this again briefly—I pursued this with some intensity and detail because I wanted to understand from a military point of view what did the Serbs on the ground who fired that missile at Captain O'Grady know about that plane he was flying? What was their knowledge and intention as they did that?

And the answers I have received from sources that I trust and have high regard for are, one, that the Serbs in Bosnia on the ground were operating as part of a very sophisticated integrated air defense radar system which actually had been used before the conflict as an air traffic control system for commercial air traffic by the former Yugoslavia. It extends back to Belgrade, although its parts can stand on their own, now being used primarily for military purposes.

The Bosnian Serbs on the ground saw that plane in the air, one of several sorties flown. A large number of sorties are flown everyday as part of Operation Deny Flight. They had the capacity. They knew that that was an American plane. They could identify it. That is how sophisticated their air defense system is and, by the nature of its flight

pattern, they also knew, because I asked, that it was part of Operation Deny Flight and not part of an airstrike mission. There have been airstrikes carried out by NATO. They have been very limited. They have been described as pin-prick airstrikes. They have had some partial success. But we never have, in any way, pulled the throttle on the air power capacity we have in that region.

I asked those who know, "Was it possible for the Serbs on the ground, seeing what they had identified as an American plane, an F-16, above to know whether that plane was on an aggressive mission to strike from the air or whether it was part of what I would call a nonaggressive patrol mission to see that Serbian planes had not left the airspace?"

The clear response I received was that because of the patterns the F-16 was flying, it was absolutely clear that this American plane was flying as part of Operation Deny Flight, not on an aggressive mission, on a patrol mission. Again, if I may use a domestic metaphor here, it is as if the police car was going through an area of a town enforcing the curfew and was not on an aggressive mission.

Mr. President, I am very pleased to see the Senator from Delaware [Mr. ROTH], here. I will finish this line of argument and yield to him.

So the Serbs on the ground, with their fingers on the missiles, missiles that they received from the Russians, that the Serbs from Belgrade brought into Bosnia to be at the disposal of the Bosnian Serbs, they knew that that F-16 was not on a mission to do them any harm. It was patrolling, and they intentionally shot that American plane down. It is only by the grace of God and, of course, his own extraordinary courage that Captain O'Grady is alive today, through his heroism and bravery and the extraordinary capacity of American equipment that we have supported in this Chamber—global positioning systems to locate a distress signal at critical moments—picked up by American planes, we send in the CH-53 Super Stallion helicopters to pick him up. They are noticed by Bosnian Serbs and they too are fired on. Again, an intentional attack on American planes, in this case helicopters.

What did we do about it? We did not do anything. We did not do anything, I suppose, because the Serbian forces were holding U.N. personnel. I think we should have done something in spite of those hostages that were being held, because it seems to me when you allow people to take hostages and hold them and they render you impotent, then they will simply act more outrageously. But an American plane on a nonaggressive patrol mission was intentionally shot down by the Serbs.

So I offer that as evidence that the war, indeed, has been Americanized. Our soldiers, our pilots flying those missions, the NATO soldiers in U.N.

uniforms may think they are non-combatants, but the Serbs do not think they are noncombatants. The soldiers have paid the price.

Lastly, let me talk about Americanizing the conflict. Let me say, it is up to us. We are not going to be drawn into a conflict we do not want to be drawn into. Lift and strike that President Clinton brought into office with him is just that. We have a strategic interest in stemming the conflict in Europe. We have a moral mission of protecting the victims from genocide, but we do not really have enough of an interest, nor does the strategic situation demand it or call for it, to send American troops on the ground.

We do have enough of an interest in stopping this conflict by using allied air power to stem aggression and by giving these people, the Bosnians, the victims, the opportunity to defend themselves.

We are not putting ourselves, if we adopt this, on a slippery slope. It is up to us to make policy. Nothing irretrievably Americanizes this conflict. In my opinion, it is a lame excuse and an insult to our capacity to control the course of our behavior to be in opposition to S. 21, as amended by amendment No. 1801.

Mr. President, I am pleased to see three other distinguished colleagues on the floor. I welcome their entrance into this debate. I yield the floor at this time.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. Mr. President, I rise to express my support of S. 21, the Bosnia and Herzegovina Self-Defense Act of 1995. I do so because I regard it as a first step in a more effective strategy to enable the Bosnian people to exercise the right of self-defense to bring this horrible war and its atrocities to an end and to do so in a way that will, in the long term, reinforce the cohesion of the alliance.

Those who argue against this legislation fear that it risks a crisis within the alliance. They fear it will escalate the conflict and its atrocities, as well as expand the war into the surrounding regions. The truth is, Mr. President, current policy has already made these fears today's realities, and with each passing hour, the situation only gets worse.

First, because of the war, the alliance is already well into its worst crisis of cohesion. The current course of events in the Balkan war is only making this acrimony even sharper.

Second, the war in Bosnia is escalating. The Serbs have initiated the largest offensive since the beginning of the conflict. Croatian Serbs and Serbian regulars have crossed over into Bosnia to support the Bosnia Serbs. They have declared the United Nation and NATO to be enemies. They continue to humiliate and attack U.N. and allied forces that are trying to bring peace and humanitarian assistance to that region.

They have shot down an American F-16. We are all witnesses to the Serbs' attacks against the safe havens in Bosnia. We are all witnesses to the ethnic cleansing now underway, and we cannot dismiss new concentration camps the Serbs are establishing and the new waves of rapes and other crimes. Our fears have become reality, and it is now necessary for a new strategy to end this conflict.

The emphasis of a new strategy should be to establish a military balance in former Yugoslavia that will induce and sustain a negotiated settlement. Toward this end, I believe the United States should take the following steps:

First, the United States Government should notify the United Nation and our allies that it favors the withdrawal of the UNPROFOR from Bosnia, and if the Western alliance is to remain cohesive, we must honor the President's commitment to provide United States forces to facilitate the withdrawal of the UNPROFOR.

Second, the United States should help the Bosnia Government attain the military equipment and supplies necessary to defend itself. The Serbian Army inherited from the former Yugoslavia a vast superiority in military equipment and infrastructure, including large numbers of tanks, armored personnel carriers, artillery, and aircraft. These advantages have been preserved by the current arms embargo against Bosnia, and the Serbs are brutally exploiting these advantages. Even with a more disciplined and larger army in terms of personnel, Sarajevo has not been able to overcome their weakness in equipment and supplies. Considering the Bosnian fighters' demonstrated courage and their will to fight, Sarajevo's access to modern arms will help significantly offset the Serb advantages in weaponry and logistical support.

Third, the United States should declare that it will exercise the right to utilize its air power in a sustained and strategic manner against any Serb effort to exploit the UNPROFOR withdrawal and to assist the Bosnian military in defending against any Serb offensives. The commitment to employ air power is necessary to prevent further Serb aggression and massacres. However, the application of American air power is not to win the war for the Bosnians, nor should it be construed as a step toward a commitment of United States ground forces. The war must be fought and won by the Bosnians. The purpose of United States air power would be only to deter further Serb offenses and deny them the advantages they now exploit from their superiority in heavy tanks, artillery, and military equipment and infrastructure.

These steps will help the Bosnian people to more effectively defend themselves on a strategic level. They would contribute to a more even distribution of military power in the region. That would help deny aggressors in the war

opportunities and incentives to continue their offenses. Indeed, it would help prompt them to recognize the imperative of achieving a negotiated and peaceful solution to the war.

Mr. President, strong congressional support behind S. 21 is absolutely essential. Strong support will communicate to the world America's determination not to tolerate the aggression now underway in Bosnia. It will demonstrate to our European friends and allies that America is always ready to live up to its commitments, and that America is always prepared and willing to undertake what is necessary to establish and ensure enduring peace and stability in post-cold-war Europe.

I yield the floor.

Mr. SIMON. Mr. President, I rise in support of the Dole-Lieberman legislation. It is an unhappy situation, and there are no good answers. Whatever course we take is going to be criticized. What we can do is learn from our mistakes.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. SIMON. Mr. President, I rise in support of the Dole-Lieberman legislation. It is an unhappy situation, and there are no good answers. Whatever course we take is going to be criticized. What we can do is learn from our mistakes.

In 1991, when the aggression first took place, President Bush and the administration should have responded. When Bill Clinton took office, he, after criticizing George Bush during the campaign, should have responded. That is easy for us to say. But what we know is that the situation is deteriorating. If some action is not taken now, it is going to be worse in a month. And if some action is not taken in a month, it is going to be worse in 3 months.

The great threat to the world today is not nuclear annihilation, as it was a decade ago; it is instability, and it is that tyrants somewhere in the world will get the message out of Bosnia that they can move against their neighbors and the community of nations will do nothing. The danger in Bosnia, if appropriate action is not taken, is that it is going to spread. It will spread to Macedonia, Bulgaria, Greece, and Turkey, and we will have a major problem on our hands. And here what the United States has to do is to show some backbone, some muscle.

The community of nations do not question our technical competence. You know, we are increasing defense appropriations as a way to send a message to the world. That is not going to send a message to the world. What the world questions right now is our will, our muscle, our backbone. And when I say "our," I am not talking about the members of the Armed Forces; I am talking about the administration, I am talking about the Senate, I am talking about the House.

Let me just give an illustration. Suppose in the Chicago Police Department, or the Los Angeles Police Department, or the New Haven Police Department, people would enlist. But, tragically, as happens in every major city police department, there is a casualty. Would the city of Chicago, or Los Angeles, or New Haven announce: Sorry, we have

some drug dealers here who killed a Chicago policeman, we are going to abandon that portion of Chicago, or Los Angeles, or New Haven because of a casualty. We would recognize that to do that invites more trouble, tragic as the casualty is.

Yet, that is what we did in Somalia. I read in editorials about the disaster of Somalia. Real candidly, George Bush's finest hour was when he had the courage to send our troops there, and we saved hundreds of thousands of lives. And then a decision was made by a retired American admiral to go after General Aideed—frankly, a decision that should have been made—after consultation with Ambassador Oakley and others. But a mistake was made. Nineteen Americans lost their lives, including one who we saw on television being dragged around the streets, and that shocked and stunned all of us. Immediately, there were calls for the United States to get out of Somalia. And we understand that. We do not like casualties. But we have to recognize that if we are going to have stability in the world, those who enlist in armed forces, like those who enlist in the Chicago Police Department, are taking additional risks. And the risk we cannot take is having a world of instability.

After the uproar here in Congress on Somalia, there was a meeting at the White House, about a 2-hour meeting, with about 20 of us, as I recall. A decision was made that by the following March 31, we would pull out all American troops. It was not an agreement I liked, but it was better than pulling out American troops immediately. And that was the sense of this body at that point. Shortly after that decision was made and announced, President Mubarak of Egypt visited the United States. He was in the Blair House. I, at that point, chaired the Subcommittee on Africa. I went down to visit President Mubarak, who was chairman of the Organization for African Unity at that point. Just before I went down, I received a call from someone in the White House—not the President—saying, "Could you ask President Mubarak to keep his troops there longer than March 31?" I made the request—without disclosing a private conversation—and it would not surprise any of you to learn that President Mubarak was not impressed that the most powerful nation in the world and the richest nation in the world said we were getting out of Somalia, but we would like their troops to stay. We did not show determination or fortitude.

Senator NUNN is going to have an amendment which will make clear, if it is adopted, that the U.S. Senate backs, if this amendment is adopted and troops are withdrawn, we have pledged we will use up to 25,000 troops to pull the U.N. forces out.

Frankly, I think if that happens and arms are supplied, there will have to be air cover for the Bosnian Government. This is not going to be a risk-free operation. There will be calls on this floor,

once there are casualties, to pull out, to stop.

I think here we have to show the determination and the muscle and the will that recognizes the great threat to the world through today's instability. Bosnia can be a spreading disease. We have to get a hold of this thing.

I think the Dole-Lieberman proposal is a sensible proposal. It is not risk-free. There are no good answers. There are only two answers right here: One is to go in with substantial military muscle; or follow the Dole-Lieberman proposal and let the people of Bosnia defend themselves.

I do not believe there is the will—not just on the part of the United States, but on the part of other governments—to take the first alternative. I do not know whether that would be a realistic alternative also.

No one can guarantee that this is going to work, that this will preserve the Bosnian Government. We have to send a message to tyrants in Asia, Latin America, Europe, everywhere in the world, you cannot move against your neighbors and bring about world instability. The community of nations will respond. We have to respond.

I think this is a well-crafted proposal. I intend to support it. I yield the floor.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the Chair. I thank the Senator from Illinois for some very thoughtful, and I believe, sound comments. I find myself in agreement, Senator, with virtually everything that the Senator said.

I also thank the Senator from Connecticut for what has not been easy for someone on our side of the aisle, to take this level of leadership on the issue. I heard the Senator last night so eloquently put forward these facts.

Perhaps, in 1878, Benjamin Disraeli said it best when he offered these words in the British House of Lords:

No language can describe adequately the condition of that large portion of the Balkan peninsula—Serbia, Bosnia and Herzegovina and other provinces—[the] political intrigues, constant rivalries, a total absence of all public spirit . . . hatred of all races, animosities of rival religions and absence of any controlling power . . . nothing short of an army of 50,000 of the best troops would produce anything like order in these parts.

And that was said 117 years ago.

We know that when Marshal Tito governed what was known as Yugoslavia, the strong central control kept down these 100-year-old animosities. Today, they have boiled to the point of no return.

Many have characterized UNPROFOR as a complete failure. I believe that exaggerates the case. After all, there has been a dramatic decrease in civilian casualties in Bosnia—from 130,000 in 1992 down to 3,000 in 1994. UNPROFOR deserves much of the credit for this decrease. However, it is undeniable that UNPROFOR has major shortcomings that have been exposed with increasing regularity.

We saw it on May 25, in Tuzla, a so-called U.N. safe-area, when 71 young people, all under age 28, were killed by a single Serb shell—one of many instances when Serb forces have eroded safe areas with attacks—without any retaliation, despite a U.N. Security Council resolution authorizing such responses.

We saw it when 377 U.N. troops were taken hostage in June after a NATO airstrike on a Serb ammunition dump.

We saw it when Capt. Scott O'Grady's F-16 was shot down without a response, as scores of U.N. hostages were still held captive.

We see it every day, as U.N. peacekeepers attempt to protect innocent civilians, sometimes successfully, but often not.

And we saw it on June 10, when the U.N. mission in Sarajevo announced it would not respond to protect Moslem enclaves from attack without the consent of the Bosnian Serbs—the attackers.

I believe it is fair to say that U.N. forces have neither the mandate, the training, the equipment, nor the rules of engagement, to allow them to respond sufficiently to attacks against them or against civilian populations. They are meant to be observers to keep corridors for humanitarian aid open—not fighters.

These problems have taken their toll on public and congressional support for the present course. And they have taken their toll, I think unfairly, on support for UNPROFOR troops.

In Congress, there has been continuing debate over whether a unilateral or a multilateral lifting of the arms embargo against Bosnia, or the withdrawal of UNPROFOR troops altogether is the humane or the inhumane action to take. And because the United States has no troops on the ground in Bosnia, we have less leverage in influencing nations that do have troops on the ground.

But during the past week, events have reached a terrible watershed, and we have seen a startling and devastating turn: The three Eastern enclaves, Srebrenica, Zepa, and Gorazde, are falling to Serb aggression. Ethnic cleansing has taken a giant step forward.

Mr. President, 42,000 civilians from this area of Srebrenica have been separated from their families, and many of them are at this moment still being held hostage in a stadium in nearby Bratunac up here. Literally, thousands of refugees from Srebrenica remain unaccounted for, perhaps up to 20,000. We have heard ominous stories of women being taken hostage and raped, of summary executions, and of bodies lining the nearby roads.

A second safe area, Zepa, with some 16,000 Bosnian residents, is in the process of being overrun. Today, it is reported in the Los Angeles Times that Bosnian Government soldiers have said, they would use the 65 Ukrainian peacekeepers in Zepa as human shields against Serb attacks unless the United

Nations called in NATO air power. What we see is that now the Bosnian forces are beginning to use the Serb tactics of taking hostages.

It has been shocking to see the ease with which these areas have and are falling. Dozens of U.N. observation posts have been abandoned, leaving unarmed Bosnian Moslems to try to defend themselves.

The third area, Gorazde, will be next, unless there is a will to use major airstrikes. Airstrikes were successfully employed in April 1994, to prevent a Serb invasion of Gorazde. However, such airstrikes are now made unlikely by the fear that Bosnian Serb forces will retaliate by taking more U.N. troops hostage. UNPROFOR weapons and equipment in the safe areas are being taken by Bosnians and used to fight the Serbs since the world has decided that the Bosnians cannot arm themselves.

This past weekend, I opened the New York Times, and saw photographs of elderly refugees in wheelbarrows, being wheeled over rough roads. I saw sobbing mothers and children. I also saw this picture. To me, it was a call for change.

I do not know this 20-year-old woman's name. She was a refugee from Srebrenica, and as she neared Tuzla, where the first camp was set up, this young woman decided she could not go on. She climbed a tree, tied a rope around her neck, and jumped. A photographer captured the image of her lifeless body hanging from the tree.

It is an image that haunts us. We do not know what humiliations and deprivations this woman suffered. Perhaps she saw a loved one killed. Perhaps she had been raped. Perhaps she simply could not bear the pain of being forced out of her home.

We only know that she could take no more. We only know that finally, the pain was too great. We only know that she could not endure any more suffering, any more indignity, any more barbarism. This was the act of a defenseless, vulnerable, beaten person. It was not the act of someone who had the ability to fight in self-defense.

Just as the anonymous white-shirted young man facing down a column of tanks in Tiananmen Square a few years ago conveyed the unspeakable message of oppression to the world, so did this photograph point eloquently to the world's failure in Bosnia.

The conscience of Europe and America must examine and reverse this terrible downhill slide now.

As the distinguished majority leader said yesterday at the beginning of this debate:

This debate is not just about Bosnia. This is not just about a small European country under attack. This debate is about American leadership and American principles, about NATO strength and credibility, and about our place in history.

I have been a supporter of this administration's policy to this point, but recently certain things have been made clear:

First, the involved allied powers have stood against ethnic cleansing, and yet ethnic cleansing is taking place unabated on a continuing basis, as an unrelenting Serb military is allowed to rape, maim, and kill innocent people who cannot defend themselves, and whose military the world's powers are preventing from gaining access to sufficient arms.

Although the Bosnian Government forces have a significant manpower advantage over the Serbs, they face more than a 3-to-1 disadvantage in tanks, more than a 2-to-1 disadvantage in artillery, and a nearly 3-to-1 disadvantage in fixed-wing aircraft and helicopters.

Second, UNPROFOR's well-intentioned—and in some parts of the country successful—efforts have been shattered by a mandate that does not let them fight back, but has allowed them to be taken hostage, and allows their weaponry and equipment to be taken from them.

Third, beginning this past weekend, we have seen the fall of one of so-called safe areas; this week—the likely fall of a second; and shortly—the probable loss of third. With 70 percent of Bosnia in Serb hands, we must conclude that the present course needs to be changed.

I agree with those who have argued that the Dole-Lieberman resolution is not perfect. It probably will offend allies we do not want to, and should not, offend. It may contribute to an escalation of the war, and it may increase the likelihood that U.S. troops will be deployed to help UNPROFOR withdraw.

But I believe this resolution, in the absence of any other viable course of action, has one overriding redeeming value: It will establish unequivocally that the U.S. Senate believes that an afflicted and decimated people should be able to defend themselves.

Let me just give an example of the effects of the arms embargo. Earlier this week, I met with the Bosnian Foreign Minister in my office. He explained to me that despite their lack of heavy weapons, the Bosnian Government forces, who outnumber Bosnian Serb forces, have improved their battlefield performance in recent months. But, according to the Foreign Minister, the Bosnian troops still suffer a lot of casualties, the vast majority of which are fatal shrapnel wounds to the head.

Why is this significant? Because the arms embargo prevents the Bosnian Government from buying helmets for its forces. Helmets—one of the most essential pieces of equipment a soldier can have. And without them, many Bosnian soldiers are dying from shrapnel wounds to the head.

As a member of the Foreign Relations Committee, I have tried to learn as much as possible, to listen to and be advised by the experts. But I have not yet seen any viable plan to deal with and prevent the imminent taking of Gorazde.

This weekend, the United States will confer with its NATO allies in Europe

on this situation. This meeting, in my view, is key and critical, and I hope that a course of action and a change of mandate will be presented. It is my hope that those attending these meetings will think about a scenario which could create an incentive for the parties to agree to a last cease-fire and cooling off period for a specific period of time, perhaps 3 to 6 months. The cease-fire would be enforced by three powers, using NATO troops under NATO command, employing aggressive air strikes to deter violations. The three powers would obviously be France, Britain, and the United States.

During the cease-fire, UNPROFOR troops and Moslem civilians would be allowed to safely evacuate the remaining indefensible—termed by the experts, everyone I have talked to, as indefensible—eastern enclave without interference, and be relocated to safe areas of Bosnian Government territory in central Bosnia or elsewhere.

At the same time, UNPROFOR troops could be reconfigured to only those areas where they can protect themselves and others, and carry out their mission of keeping open humanitarian aid corridors and facilitating the distribution of aid.

But one thing is clear. If UNPROFOR is to remain in Bosnia at all, their mandate and their mission must be changed. They must be able to defend themselves and fight back under a clear, decisive and expedited field command.

In return, during the cessation of hostilities, the Bosnian Government, the Bosnian Serbs, and the Croats must agree to one last effort to negotiate a fair apportionment of disputed lands.

If an agreement on land apportionment is not reached by the end of the cease-fire period, Britain, France, and the United States would agree to lift the arms embargo multilaterally.

Throughout this period, economic sanctions would be maintained and strengthened where possible against Serbia, with the understanding that they will not be lifted until a settlement in Bosnia is reached.

Perhaps—I say “perhaps”—a scenario like this could have merit. I presented it last Thursday night to the Secretary of State, I presented it to the minority leader, and I have discussed it with the majority leader. I do not know whether it has merit. But I do know that in the absence of any other course of action, people must be able to defend themselves. And in the absence of any other constructive, precise, and well-defined effort, it will be my intention to vote for the Lieberman-Dole resolution.

I thank the Chair. I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I want to respond to the very eloquent, very moving, and very strong remarks of my colleague and friend from California, Senator FEINSTEIN. I appreciate very much the history that she told, the obvious concern and frustration that she expressed for the failure of the current policy, the haunting picture of a 20-year-old woman hanging from a tree, a victim of suicide for reasons that we do not know. But speaking for all of us of what happens when you leave a people defenseless, women defenseless, perhaps she was raped, perhaps she was separated from her family, or perhaps her husband or loved one was carted off with other young Bosnian males, young men; whatever. It is that picture, and so many others, that will haunt us as the indication and evidence and proof of the failure of the current policy and the effect of the current policy.

I heard somebody speaking on one of the television programs today against lifting the arms embargo, a spokesperson for the administration, saying something that has been said over and over again, which is that, if we lift the arms embargo, it will lead to more bloodshed. How much more bloodshed could there be? Over 200,000 killed, 2 million-plus refugees, and the conflict goes on; one side with arms willing to take whatever action is necessary, violating all rules of international morality, with its leaders today the subject of an international inquiry at The Hague as to whether they are war criminals—Milosevic, Karadzic, Mladic, the whole crew.

So will lifting the arms embargo lead to more bloodshed? None of us can say it will not. It may lead to more bloodshed. It may lead to the shedding for the first time in any significant degree of Serbian blood. And until that happens, the Serbs, in my opinion, will not accept the peace at the peace table that the Bosnians could possibly accept. They will only seek unconditional surrender and the continuing death and torture of the Bosnian Moslems.

I appreciate the sincerity of my colleague from California in suggesting the possibility of an alternate course here, a last chance, a 3- to 6-month period in which both sides, the Bosnian Serbs, Bosnia and Serbia, be given a chance to negotiate a peace, after which, if there is failure, the arms embargo will be lifted multilaterally.

I appreciate the sincerity. I wish that such a policy had any chance of working. But I will offer this response to it. In the first place, insofar as part of it involves the movement of the remaining Bosnians who are in the east of Bosnia into the central area of Bosnia around Sarajevo, which is the relatively secure area, although Sarajevo continues to be shelled, unfortunately, it yields ground to the Serbians, which

is exactly what they want. They want the greater Serbia, and eastern Bosnia.

But more to the point, every peace offer that has been made by any credible authority, including most significantly the contact group, the international five-nation group that made the peace offer of 51 percent to the Serbs, the remainder to the Bosnians, 20 percent less than the Bosnians had at the beginning of the war before they were defenseless victims of aggression, the Bosnians accepted it; the Serbs did not. That has been the course of every peace offer made.

The Serbs are not accepting terms of peace because they are running willfully, wantonly, brutally throughout the country and nobody is making them suffer. When outlaws are allowed to commit illegal acts, the worst illegal acts—theft of land, eviction of people, rape, murder, slaughter, separation of families—they will continue to do it because nobody stops them. We know that here in our own country. That is why we are all supportive of stronger law enforcement.

So they continue to do that. They are not going to accept the peace. They have not accepted any peace. If I had one shred of hope that they would, I would say it was worth trying to pursue some opportunity to give them that.

Let me add this, that any terms they would accept are unacceptable to the Bosnians, and none of us in the exercise of fairness would ask the Bosnians to accept. They have taken enough abuse. They have suffered enough. It is not for the international community at the point of a Serbian gun to force the Bosnians to accept the decimation of their country. They have already accepted every reasonable or not so reasonable peace plan they have been given.

So I wish I could have some hope for the prospects of yet another cease-fire and a chance for negotiation. But at every turn the Serbs have not only rejected the suggestions; they have deceived us. They have tricked us. They have talked while preparing to attack. And the Bosnians and the United Nations and NATO and the United States have been the victims.

And finally, so far as the suggestion made—and again I respect it and I know it is made in good faith and with a sense of hope—that at the end of the 6-month period Britain and France and the United States would multilaterally lift the arms embargo, I see no indication that our allies and friends in Europe are prepared to commit to that.

So, Mr. President, again I note the presence in the Chamber of colleagues, and I yield the floor.

Mr. KERRY. Mr. President, I ask my colleague if he would be interested in entering into a little bit of a colloquy maybe simply because we all come to the floor and the debate seems to pass by itself in a way. I think it would be helpful if we could talk through it a little bit.

I ask my colleague if it is his judgment that withdrawing UNPROFOR and lifting the embargo, which is essentially the heart of what is in the Senator's amendment, constitutes the policy of choice? Is that what we as a country and we as Senators want to put forward as our first choice policy here, to simply say that if the President of Bosnia says UNPROFOR get out, we lift the embargo, or if UNPROFOR is out, we lift the embargo?

My question is, is there not really a precursor to that, which is in effect a policy that wants to prevent the safe areas from being overtaken, a policy that wants to prevent women from being raped as a matter of war strategy, a policy that wants to guarantee the delivery of humanitarian assistance? Is that not rather the policy of choice for a great nation and a Western civilization, a free people?

Mr. LIEBERMAN. Mr. President, in responding to my friend and colleague from Massachusetts, this is not the first choice, but it is the choice that is offered in the context of the failure of the other choices that have been made, the other choices that have done damage and been inconsistent with the policy of a free people and a great nation and have done extraordinary damage not only to the Bosnian people but to the rule of law.

The policy that this proposal advocates, lifting the embargo and striking from the air, is the policy that President Clinton brought into office with him in 1993, that our allies in Europe opposed, and then the policy was changed.

So, of course, if the United Nations had played any role other than passing resolutions—and I say to my friend, it is my personal judgment that the United Nations has suffered terribly in this conflict because it has been misused and its soldiers, brave soldiers, have been misused.

When did the United Nations go in? It went in after the aggression of the Serbs became clear and the first wave of terrible atrocities became visible to the world, when the concentration camps were seen by British television and sent around the world. Camps that were operated by the Serbs with the Moslems: the haunting pictures, the echoes of the Second World War, emaciated bodies, stories of mass slaughter, rape, all the rest.

The Western Powers could not sit by when that happened, but instead of being forceful, lifting the arms embargo, striking from the air at minimal risk to Western personnel, they threw in the United Nations, on a presumably humanitarian mission, and gave them no weapons with which to defend themselves, and were not willing to stand by the resolutions that were adopted subsequently by the United Nations to deny flight, to protect safe areas.

And what have we had? Sadly, we have had the United Nations serving not as a guarantor of peace and secu-

rity for the Bosnian people but now, not for a day, not for a month, but for 3 years being a cover for Serbian aggression. And every time we have begun to get up some backbone here to strike back at the Serbs for killing people, for shooting down American planes, for taking U.N. personnel hostage, they have just taken more hostages and said if you strike back at us, we will kill your personnel, and we have walked away. We have moved to the back.

So I say to my friend from Massachusetts, policy of choice? We are late in the game. We are late in the day in Bosnia. If in 1991 and 1992, when the Serbs moved into Slovenia and then Croatia and Bosnia, the world had drawn a line and said: end of the cold war instability or not, do not think you can march now and not pay a price for it. We did not and as a result we have paid a price.

I say to my friend, policy of choice? Let us listen to the victims. Let us listen to the people of Bosnia who have said through us, through their elected representatives over and over again, the United Nations is not helping us; it is hurting us. Get them out of here. Give us the weapons with which to defend ourselves. Please, help us from the air to strike at Serbian targets until we can make this a fair fight.

Mr. KERRY. There is nothing in this amendment about strike.

Mr. LIEBERMAN. No, there is not.

Mr. KERRY. There is nothing in here about strike. This amendment is exclusively what you do if you withdraw. I respectfully suggest to my friend from Connecticut, I agree with everything he just said. Everything he just said is a wonderful statement of what is wrong with our current policy. The question is, is this a replacement for that policy? And I respectfully suggest to my friend this is not a policy. This is the last step. This is the last step. If the President of Bosnia says UNPROFOR out, under the law UNPROFOR has to get out. So absolutely, unequivocally, I suppose you have no choice morally but to lift the embargo then because you cannot keep an embargo against some people while the others have weapons to kill them.

Mr. LIEBERMAN. That is just what we have done for 3 years.

Mr. KERRY. But that does not mean we ought to continue to do that today. If the policy of choice as the Senator has acknowledged is to stand up, then I ask the question, why do we not stand up today? Sarajevo has not yet fallen. Gorazde has not yet fallen. Zepa may fall. It is in the process. Are we so weak, are we so without guts and policy that we are going to come in here and ratify an amendment that effectively says if the Bosnian President says, "Get out," or UNPROFOR is out, is that all we have to offer in the United States Senate, an epitaph rather than a policy?

Mr. LIEBERMAN. I answer my friend from Massachusetts, he asks, are we so

weak? Do we so lack guts? Do we have no policy that this is the alternative? And I say to my friend, look at the history of the last 3 years. And all you will see is weakness, lack of policy, and no guts. And who has paid for it?

Mr. KERRY. I say to my friend, I am not the prisoner of the history of the last 3 years. I hope he is not. I do not think the U.S. Senate—

Mr. LIEBERMAN. I must take into account the history of the last 3 years. At every moment we have brought this proposal up again—Is this the first step? It was the first step that President Clinton brought into office with him and our allies with Europe frustrated with its implementation.

So I say to my friend, obviously we have to look at the history. I say this with respect to my friend from Massachusetts. I know he speaks with sincerity. At every point that the option was given to the Senate, to the House, to the administration, to the Western allies to lift the embargo, stop this immoral refusal to let these people defend themselves, use air power to help them resist aggression, there has always been another excuse for delay.

And so, respectfully, when my friend comes in today and says, is this the replacement for policy—this is what we have been crying out for for more than 3 years. And it is time to stop finding excuses for not at least giving these people the opportunity to defend themselves. If I had any confidence that there would be a stronger Western policy, I would listen—although I would still push forward—but, respectfully, the voices that I hear are not the voices telling me to delay. The voices I hear are the voices of the Bosnian people who have suffered as a result of just what you have used, the words you have used: weakness, lack of guts, and lack of policy.

Mr. KERRY. Let me say to my friend—

Mr. LIEBERMAN. Right now, all right in the newspapers, the British, the French, and our administration are not agreeing on an alternative policy.

Mr. KERRY. I agree. But therein lies the question of leadership and of resolution, not, it seems to me, in a sort of final statement of what you do if nothing else can happen. It seems to me my friend—I think we are talking the same language but coming at it from a different point. My sense is that the problem has not been the defined goal of UNPROFOR. The problem has been the implementation of that goal, the dual-key requirements for airstrikes, the absolute ineffectiveness of the troops on the ground who are armed not to fight back or to enforce most anything but are really so lightly armed as to be invitations to be taken hostage.

The question I think the U.S. Senate ought to be asking itself more appropriately is not what do we do to wash our hands of this situation, which, incidentally, is more complicated than that. And I think the Senator from Connecticut knows that. He is one of

the clearest thinkers in the U.S. Senate. If the Bosnian President can effectively say, OK, I want UNPROFOR out, and the Senate now passes a resolution saying one of the circumstances under which we will lift the embargo will be if the President of Bosnia says, UNPROFOR, get out, well, the President is pledged to put 25,000 American troops on the ground in order to help UNPROFOR get out. If I were the President of Bosnia, and I were kind of backed up against the wall, I might just think of saying to myself, "Boy, how do I get the United States over here?"

So, he says, "UNPROFOR get out." All of a sudden there are 25,000 troops in Bosnia. And then you might just want to—I can remember, you know, from the days of being in Vietnam, when the North Vietnamese would dress up like South Vietnamese and attack other people. I can well imagine Moslems putting on the uniforms of the Serbs and attacking Americans and drawing the United States into retaliation against the Serbs, or making it extremely difficult for America to get out in a way that then entangles us. I mean, why give the President of Bosnia the choice of putting 25,000 American troops on the ground in Bosnia-Herzegovina?

Mr. LIEBERMAN. I ask—

Mr. KERRY. Let me finish. It seems to me the Senator from Connecticut and all of us ought to be defining for the country and the world what is at stake here. Pope John Paul said it the other day, that the world is watching, you know, that civilization is standing by and experiencing a great defeat. To the best of my historical recollection, most of what World War II and World War I were about are principles that are fundamentally involved here.

Now, I am not suggesting that they rise to the level of threat that we ought to put American troops on the ground. I have never said that. I believe this is fundamentally the backyard of Europe, with respect to a localized kind of action, and they have got to bear the brunt on the ground. And the French have indicated a willingness to do that. The British seem to be dragging. But one of the reasons they are dragging is that we are not indicating our willingness to be sufficiently supportive with respect to air power and other things.

Now, I will tell you something. I think we ought to say that the United States of America is prepared to run the risk of putting American air people at risk, in harm's way, in the effort to back up our allies on the ground sufficiently to be guaranteeing only one thing—a minimalist capacity to deliver humanitarian assistance and guarantee safe areas.

Now, if the Western World and civilization cannot come together around the notion that a safe area is a safe area and we ought to stand up for it, and if we cannot come up around the notion that the basic laws of warfare

ought to be adhered to, and if we are going to walk away in the face of thugism, we will ignore the lessons of history and invite future confrontation and future questions about our leadership and so forth.

I think the Senator agrees with that. So the issue here is, why not change the rules of engagement? Why not pull this away from the dual-key of the United Nations? Why not create a structure where the United States can control its destiny with its allies and not be subject to the politics of Mr. Akashi and Mr. Boutros-Ghali? Why not do what we effectively did in Desert Storm, where we ran the show or undertook that responsibility, and stand up for something before we turn around and say that all we can do is wash our hands and allow people to get weapons several months from now, when in the intervening months the Serbs will very clearly use the time? And if you think you have seen bloodshed and refugees on CNN in the last few days, wait until you see what happens on that course of policy.

Mr. LIEBERMAN. Mr. President, if there had been any indication over the last 3 years that there was the kind of resolve and willingness to stand up against aggression that the Senator from Massachusetts describes, my response would be more open than it is. The fact is that we have gone through more than 3 years in which the United Nations has acted with weakness and has been a cover for Serbian aggression against the Moslem people. We have acted for 3 years pursuant to a policy that has lacked purpose and force in such a way that we have demeaned the greatest military alliance in the history of the world, NATO, and raised questions about its continued viability. And we have diminished ourselves, the United States, the greatest power in the world.

Mr. President, if I had any hope—and I would like to still have hope—that the United Nations' mission in the specific areas that the Senator from Massachusetts refers to, protecting the safe areas, getting the humanitarian assistance in, would be fortified, I would be glad to see that happen. I would be glad to see that happen. But it would not be for me an excuse not to end this immoral embargo.

How can we justify that for more than 3 years now we have imposed an embargo that, incidentally, is Milosevic's embargo? He called for it in 1991. Why? Because he knew he had plenty of tanks and personnel carriers and planes and weapons. And we went along in naive good faith that was somehow to stop the conflict from breaking out, and with every passing week and month as the conflict went on and the Serbs took more land and kicked more people out of their homes and killed and raped and tortured more people and put them in concentration camps, we continued to enforce that embargo.

May I say, after those 3 years of history, it ill behooves us to raise any questions about the motivation of the leaders of Bosnia, to suggest that we not lift the arms embargo or not give them the right to have some say in determining when they think the U.N. mission has ended all purpose for them and impute that somehow this is their intent to trap us into this—

Mr. KERRY. Why—

Mr. LIEBERMAN. Excuse me. They have been asking for 3½ years that we give them weapons to defend themselves, long before there was ever any talk of American troops. As a matter of fact, at every point, the Bosnians have said, "We don't want American soldiers on the ground. We have plenty of soldiers. We just don't have weapons."

So I say to the Senator from Massachusetts, respectfully, this is not the hour to speak against this proposal on the basis of either what the United Nations might do, after its sorry record of the last 3½ years, or to speak against it, because it finally gives one ear to the victims of this aggression, the direct victims, the Bosnians, or to impute cynical motives to them in this.

Mr. KERRY. Let me say to my friend, if this is not the moment to talk about why this is an incomplete policy, then what is? I mean, the fact is that the President has not to this day asked UNPROFOR to leave. The President of Bosnia has not said, "Get out of here."

So, of course, they are asking to lift the embargo. The best of all worlds is to keep UNPROFOR and have no embargo. I understand that, and so does the Senator. But the Senator also understands why he has not asked UNPROFOR to get out, because UNPROFOR has reduced the number of deaths, because UNPROFOR has provided some safety and succor. And the question is not whether we ought to now trigger the absolute certainty of UNPROFOR being withdrawn, the question is whether or not we ought to make it work.

I totally agree with the Senator's complaints about the weakness and the unfairness and the total inconsistency of this equation of the last years. It has been horrendous.

Mr. LIEBERMAN. Then why does the Senator not support the lifting of the arms embargo? How can the Senator justify that?

Mr. KERRY. I say to my friend, because it is a half solution.

Mr. LIEBERMAN. It has always been a half solution, but we have given them no hope, no solution.

Mr. KERRY. I am prepared to suggest there is hope, and we should offer it. I am prepared to suggest there is a precursor policy to what the Senator is offering. The Senator is offering something I would vote for if it was the final step. I do not believe we have reached the final step, because I have not given up on the notion that Sarajevo and Gorazde and safe areas could

be preserved. I think that is a two-bit tinhorn bunch of thugs that make up an army, and the reason they have been able to kick people around that country is because the blue helmets have been lightly armed and have, basically, been targets for hostage taking and because we—we—have been consistently trying to have a no-risk policy.

There is no such thing as a no-risk policy in Bosnia or anywhere. When you put on the uniform of the United States military, you assume the possibility of going to fight. Ever since Vietnam, we have been a country that has been unwilling to understand that risk and scared to take it in certain situations. President Bush went through extraordinary hoops with the Joint Chiefs of Staff in a remarkable series of steps, and with great leadership, I will add, to put together a capacity for this country to recognize its interests and send people into harm's way.

President Reagan did it in Grenada. President Bush did it again in Somalia. President Clinton did it in Haiti. You put on the uniform, there is a risk. I hate to say it, it is a tragedy, but we lose young people for merely the putting on of the uniform. Every month, every week in a training accident, in a catapult that does not work correctly on an aircraft. That is a risk.

I believe that the defense of NATO, I believe that the principles that are at stake here have been, for the whole 3 years that the Senator has said, rightfully on the table and it has been too long in properly coming to this Chamber to be articulated.

But my sense is that I think the Senator has a correct statement. If the President did say get out, of course you would lift the embargo. If UNPROFOR is out, of course you would lift the embargo, but that is not a policy. That is truly a final statement of where you are when all else is exhausted, and this Senator does not believe all else is exhausted, because UNPROFOR is still there, because we are still here, because the French are prepared to fight and because we should all stand up and offer the leadership that suggests that Pope John Paul is not going to be proven correct, that civilization is just going to stand aside and accept a defeat.

I do not think we need to do that, I say to the Senator from Connecticut, and I think we ought to stand up and assert the rights—look, if we cannot assert the notion that humanitarian aid is going to be delivered, and if we cannot assert the notion that women and children are not going to be blown up when they go to a water fountain to drink, and that men and women are not going to be blown away like clay pipes in a shooting gallery, if we cannot assert those notions, what are we doing? What are the millions of dollars of NATO for? Who are we? If we cannot remember the lessons of World War II

only 45 years later, then something is wrong.

I suggest, respectfully, that we have the ability to say to the Serbs, "We're not here to mix in your war. If you want to go out there in the fields and fight, you go do it, and we're not going to get in your way. But you're not going to rape women and you're not going to break the laws of warfare and you're not going to kill innocent women and children and pick off people in areas that the United Nations and the world has called a safe area."

I agree with the Senator. There is ignominy in the last years. But the admission of that should not bring you to simply say we are going to go away and let you guys duke it out in the worst of circumstances.

I believe there is a first policy, and the first policy is to try one last time to make this mission work. If it means take it away from the United Nations, take it away from the United Nations. If it means those countries willing to stand up do it together, then do it that way. But we cannot any longer—I agree with the Senator—we cannot any longer remain the prisoners of this extraordinary political, weak, haphazard, damaging policy that is destroying our capacity to control our own destiny and, most important, the destiny of innocent people.

Mr. LIEBERMAN. Mr. President, this has been an important colloquy. I note that the Senator from Maine has been on the floor for some period of time. I want to yield to him in a moment—both Senators from Maine, as a matter of fact.

I just want to say finally, in response to the Senator from Massachusetts, is this a policy, the lift and strike? You bet your life it is.

Mr. KERRY. There is no strike. There is no strike.

Mr. LIEBERMAN. Excuse me. We do not need in this resolution to order a strike. It is unfortunate enough we have to go to a point in a congressional action to try to urge the administration to lift this embargo which has put blood on our hands. We can determine—and these discussions are apparently finally going on with our allies to strike—this is a policy. This is the best policy. In fact, if we had followed this policy of lifting the arms embargo and striking from the air, I am confident that the war would be over today. I am confident that the war would be over today, because the Serbs would have felt some pain, had some fear about what would happen if they continued their aggression, and that would have brought them to the peace table and we would have had an agreement.

So I say to the Senator from Massachusetts, good luck in your attempt to fortify the United Nations and NATO. Good luck in your attempt—finally, after 3 years of temporizing and irresoluteness and mixed messages and consequent suffering by people in Bosnia and for the rest of the world, good luck in trying to do that.

But that is no excuse for voting against this policy of finally lifting the arms embargo, because regardless of what the effect or intention of the United Nations is, or NATO, this arms embargo is immoral. It strikes at the most fundamental right that we, as individuals, have, to defend ourselves and our families, as countries have under international law in the charter of the United Nations. It is an outrage. So, good luck in strengthening the U.N. mission, if there is any hope in doing that. But it is no excuse for not supporting this proposal, and, unfortunately, because I believe that, I must say this. I do not impugn the motives or the sincerity of the Senator from Massachusetts. It is just the latest in a line of arguments and excuses for not lifting the arms embargo.

Mr. President, I thank my friends from Maine for their patience.

I yield the floor.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine [Mr. COHEN] is recognized.

Mr. COHEN. Mr. President, earlier this year, I had a chance to address a conference in Munich, Germany, and it dealt principally with the issue that we are still struggling with here today. I will repeat some of the comments that I made during that conference because they bear repeating here.

I said:

We have entered a new world of disorder and our inability to formulate coherent policies and strategies to deal with ethnic conflicts and the expansion of NATO membership has led to cross-Atlantic fear, confusion, incoherence and recrimination—a state of affairs not unprecedented for the NATO alliance.

With respect to Bosnia itself, I observed:

NATO cannot act unless America leads.

America will not lead unless it can persuade the American people that it is imperative for us to do so.

The conflict in Bosnia is not perceived to involve American interests that are vital. Rather, it is a quagmire where its inhabitants would rather dig fresh graves than bury old hatreds.

The European members of NATO were not willing to wade into the quicksand of ancient rivalries and engage in peacemaking operations so the responsibility was passed to the United Nations, which has fewer divisions than the Pope and none of his moral authority.

As a result, we are all bearing witness to the decimation of a nation that was guaranteed protection under the U.N. Charter while the best we can offer is to seek to minimize the bloodshed by denying arms to the victims of aggression.

So we have a situation where our collective acquiescence to aggression may be the lesser of two evils. But it is nonetheless the participation in the evil of ethnic cleansing that we hoped would never again touch the European continent.

Well, we are still hesitant to take more aggressive action even today. I spoke these words in February because the consequences of our actions cannot

be predicted. None of us can predict the full implications of what we are to do and not to do here today. But it was the absence of this predictability that prevented the development of a consensus.

I suggested at that conference that a number of things had to be done—that new leadership is required at the United Nations, and that Mr. Akashi should be asked to resign immediately. I issued that statement in February. I believe it to be the case, even more so, today. I also suggested that when a no-fly zone or weapons-exclusion zone had been declared, it should be enforced and not allowed to be violated with impunity; no tribute or tolls should be paid by UNPROFOR forces to gain passage to help the victims of war; no tolerance should be granted for taking hostages or using them as human shields.

If any harm were to come to UNPROFOR forces, we should take out every major target that allows the Serbs to continue to wage war. That power should be disproportionate to the transgression, and no area in Serbia ruled out of our bombsight.

UNPROFOR should be given the heavy armor necessary to protect its forces and achieve its humanitarian mission.

That is what I suggested at the time in early February. If we were unable to give UNPROFOR—whose troops were trapped in the layers of a disastrous dual-command structure—the authority and firepower to achieve these ends, then we should remove the forces before the United Nations political impotence is allowed to corrode any further the integrity and credibility of NATO.

I think the time has long since passed for us to try to strengthen UNPROFOR. I might take issue with the statement that UNPROFOR has been responsible for significantly reducing the numbers of casualties. I think the UNPROFOR forces should be celebrated and heralded as the heroes that they are for wading into this quagmire of conflict—not a peacekeeping mission. There is no peace there. So they are truly courageous men and women who have sacrificed their lives in order to bring humanitarian relief to those suffering from war.

But, Mr. President, it is too late at this point to say that UNPROFOR should be beefed up, should be given a military role that it has yet to be provided with. I think that time has long since passed.

I was at the briefing yesterday, when Secretary Warren Christopher came before the Republican conference policy lunch, along with General Shalikashvili. I listened with care, because I have also had doubts in terms of the consequences of any action we might take. I listened to what they criticized would be the result of the Dole-Lieberman resolution. They said, First, it would cause the immediate withdrawal of UNPROFOR, with a huge

flood of refugees; second, it would Americanize the war; third, the United States obviously has a lot at stake in U.N. resolutions; fourth, it would increase the expansion of the war. General Shalikashvili indicated that the passage of the Dole resolution would make life more difficult for UNPROFOR, and the withdrawal operation would also be made more difficult. I think those are fair observations.

I asked the questions: What would the administration's policy now do? Who would be in control of this beefed-up UNPROFOR mission? Would it be General Boutros Boutros-Ghali? Would it be Mr. Akashi, whose leadership, I think, has been in doubt? Who would order the airstrikes? Who would pick the targets? Who would decide whether the sites were too dangerous to hit, and that it might provoke Serbian response? Who would transport the French troops to the regions they now seek to reinforce?

What is the Russian role in all of this? We know that the Russians historically have been supportive of the Serbs. What has been their role to date? What would be their role in the future? What is the state of negotiations that have taken place behind closed doors at diplomatic levels between Russian negotiators or representatives and our own State Department?

Frankly, Mr. President, I did not hear a satisfactory response. I heard statements of ambiguity, of doubt—no real clear direction of whether or not we would be in charge. I heard statements made like: Well, no longer will we have the disastrous dual-structure arrangement; that is something that would be under the control of the United States. I have not seen evidence of that before. When the forces on the ground have requested military assistance, they have been overruled. Each time we have promised to provide airstrikes, we have done so in the most minimalist of ways—creating a large 20-foot crater at an airstrip which could then be filled in within a matter of 20 or 30 minutes. The option of destroying aircraft on the ground was precluded because that might be too provocative.

So I have yet to hear a clearly enunciated strategy coming from the administration on exactly what the proposal is. The administration has warned that Senator DOLE's proposal would Americanize the war in Bosnia. This is the greatest fear of the administration, and the greatest hope on the part of some in Europe who are looking to shift the blame to the United States for failed policies.

At the same time, I might point out that the administration is considering using U.S. forces to reinforce Gorazde—using helicopters to ferry French troops and provide air cover with attack helicopters and AC-130 gunships. This is a proposal that would immediately Americanize the war.

The administration has also made it clear that it will move French troops to Gorazde only if the United States has a free hand to attack Bosnian Serb—and possibly the Serbian Serb—air defenses that could threaten United States aircraft. The United States would also, I am told—I have not seen it spelled out—insist on a free hand to bomb any other Serb forces that could possibly pose a threat to United States forces or that threaten the success of the mission.

Now, the administration, I think, is absolutely right to insist on eliminating the dual-key arrangement with the United Nations if we are involved with reinforcing Gorazde. But it would make us responsible for the outcome. It would, in fact, Americanize the war.

I believe we have to think very carefully before we decide to try to reinforce Gorazde, as the French have proposed. This would require significant American involvement, and I think the charge would be we are thereby contributing to the Americanization of the war itself.

I think there is a very serious reason to question whether Gorazde can be saved from a determined Serb assault. Gen. John Galvin, who served as both the Supreme Allied Commander in Europe and as a military adviser to the Bosnian Government, came before the Senate Armed Services Committee and testified that the eastern enclaves in Bosnia are militarily indefensible. I think the events of the past 2 weeks only reinforce that assessment.

I know that many American military officers have questioned the French proposal to reinforce Gorazde because of the great difficulty, not only in transporting the troops and equipment there, but also of resupplying them once they are deployed. Agreeing to the French proposal would mean that we are committing our forces to an ongoing mission in which the United States Army aviation troops would be operating in the midst of the Bosnian war.

Even assuming the French proposal is completely successful in deterring a Serb attack on Gorazde, this very success would free up Serb forces who are now focused on the eastern enclaves to move to new targets: Tuzla, Sarajevo or the narrow swath of Moslem-held territory connecting these cities.

If we are seriously going to consider the French proposal, we should not be naive about the implications. It would Americanize the conflict. It would result in ongoing United States Army combat missions in Bosnia. There should be no doubt about that.

I also want to point out, Mr. President, that I believe the administration is refusing to engage in debate on this proposal in a serious way. The administration officials seem to be deliberately mischaracterizing—I was going to say “misrepresenting”; perhaps that is too harsh a word—mischaracterizing

what the Dole-Lieberman proposal says, because the administration really does not have a credible argument against it.

During the daily press briefings yesterday, both the White House and the Defense Department spokesmen framed their case against this proposal by saying that by lifting the arms embargo, it would force UNPROFOR to leave Bosnia.

I am going to quote here statements coming out of the administration:

... lifting that arms embargo unilaterally as proposed ... would lead to an Americanization of the war ... and drive out UNPROFOR ...

Kenneth Bacon, a DOD spokesman.

... that decision by the U.S. Congress (to lift the arms embargo) would trigger a decision by UNPROFOR to withdraw from Bosnia and then we would be in the position of having to commit ground troops to extract U.N. personnel from Bosnia ...

Michael McCurry, White House spokesman.

[The Dole-Lieberman proposal] as we've said over and over again ... would draw the United Nations out of Bosnia.

Again, Michael McCurry.

These arguments really have very little to do with the legislation before the Senate. The Dole-Lieberman proposal would lift the arms embargo only if—let me repeat, only if—UNPROFOR withdraws and only after UNPROFOR withdraws.

So it seems to me that the administration's core objection that it would force UNPROFOR to leave Bosnia is not, really, quite relevant.

The administration's argument may be applicable to the original bill that Senators DOLE and LIEBERMAN introduced in January calling for the arms embargo to be lifted in May, even if UNPROFOR were still in place. I think that the sponsors of this resolution have recognized the legitimacy of the administration's argument, and they modified the proposal so it would not take effect unless and until UNPROFOR departs.

I must say, the administration is still refusing to acknowledge the changes that we have in front of us, a different proposal, even though it has been circulating throughout Washington and, indeed, the world, for the past several weeks.

I also think the administration is trying to confuse the issue of unilateral versus multilateral lifting of the arms embargo.

There is a common misperception, spread by those who do not support the resolution, that the United States alone desires to lift the arms embargo in the Government of Bosnia.

That is not the case, Mr. President. In fact, the U.N. General Assembly has called for the lifting of the embargo on Bosnia a number of times, most recently November 1994, in Resolution 49/10. This resolution was passed by the General Assembly without dissent. Close to 100 nations voted in favor of the resolution. Not one voted in opposition.

A similar resolution, No. 48/88, passed the assembly a year before, with 110 nations voting in favor and none voting against.

I think it is simply inaccurate to assert that a lifting of the arms embargo by the United States would be unilateral. There are many other nations who would be eager to join the United States should that prove to be necessary.

I would ask to have printed in the RECORD relevant portions of the two U.N. resolutions I mentioned, as well as a list of the many nations that have voted for them.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESOLUTION 49/10 ADOPTED BY THE GENERAL ASSEMBLY, NOVEMBER 8, 1994

THE SITUATION IN BOSNIA AND HERZEGOVINA
The General Assembly,

22. *Encourages* the Security Council to give all due consideration and exempt the Governments of the Republic and of Federation of Bosnia and Herzegovina from the embargo on deliveries of weapons and military equipment originally imposed by the Council in resolution 713 (1991) of 25 September 1991 and as further outlined in the eighth preambular paragraph of the present resolution;

23. *Urges* Member States as well as other members of the international community, from all regions, to extend their cooperation to the Republic of Bosnia and Herzegovina in exercise of its inherent right of individual and collective self-defense in accordance with Article 51 of the Charter;

RECORDED VOTE ON RESOLUTION 49/10

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Croatia, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Federated States of Micronesia, Fiji, Gabon, Guatemala, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyz Republic, Latvia, Lebanon, Lesotho, Libya, Lithuania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Syria, The former Yugoslavia Republic of Macedonia, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, United States, Uruguay, Vanuatu, Yemen.

Against: None.

RESOLUTION 48/88 ADOPTED BY THE GENERAL ASSEMBLY, DECEMBER 29, 1993

THE SITUATION IN BOSNIA AND HERZEGOVINA
The General Assembly,

17. *Also urges* the Security Council to give all due consideration, on an urgent basis, to exempt the Republic of Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia under Security Council resolution 713 (1991) of 25 September 1991;

18. *Urges* Member States, as well as other members of the international community, from all regions to extend their cooperation to the Republic of Bosnia and Herzegovina in

exercise of its inherent right of individual and collective self-defense in accordance with Article 51 of Chapter VII of the Charter;

RECORDED VOTE ON RESOLUTION 48/88:

In favor: Afghanistan, Albania, Algeria, Antigua and Barbuda, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Columbia, Comoros, Costa Rica, Croatia, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Federated States of Micronesia, Fiji, Gambia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyz Republic, Latvia, Lebanon, Lesotho, Libya, Lithuania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Syria, Tajikistan, The former Yugoslav Republic of Macedonia, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, United States, Uruguay, Yemen, Zambia.

Against: None.

Mr. COHEN. Mr. President, let me conclude my remarks by saying that no Member here can stand on the Senate floor with complete assurance that we know what the outcome of our deliberations and ultimately our vote will be.

That is something we cannot predict. There is no foreknowledge of the finality of things in this body or elsewhere. There are great risks involved in whatever decision we choose.

I might point out that the Dole resolution of several months ago has already been taken over by events. Perhaps we could have beefed up the forces several months ago and prevented the Serbs from overrunning the so-called safe haven areas. That is no longer the case. They have been and are being overrun. One or two more remain.

The difficulty, of course, now, is that assuming the Dole resolution were to pass, I think the administration makes a valid point that there is going to be more bloodshed. The Serbs are on the offensive. They are in high gear now. They are moving, there is no doubt about it. If they think that the U.N. forces are coming out with the aid and assistance of the United States, they will move as expeditiously as possible to exact even a greater blood toll. That is something I think that we can anticipate, reasonably, will take place.

I must say that as we have delayed and delayed and delayed and exercised this sort of Hamlet-like irresoluteness, we have witnessed safe area after safe area falling, more atrocities being committed, more rapes, more plunder, more pillage, more arrogance. The notion that the Serbs can flaunt their military power in the face of the United States, or indeed the entire Western

world, strikes everyone as simply unacceptable.

We should make no mistake about it. We do not have any real conclusive answers as to what will flow from our action. That is why we have hesitated today.

Perhaps if we had followed Lady Margaret Thatcher's leadership several years ago, we would not find ourselves in the place we are today. Perhaps if we had taken collective action 3 years ago—we can go back and retrace our mistakes. We can go back and say perhaps if we had never recognized Bosnia as a separate state—all the "perhappes" that we can engage in right now—but we are where we are, and what we are witnessing is an ethnic cleansing on a horrific scale.

So we cannot turn away from what is taking place. We are trying not to become engaged in that effort. But I think we have to be very careful on the proposals coming out of our European allies. I give them great credit for their willingness to commit ground forces in an effort to preserve lives. And they have preserved lives. I want to make this point again. They have helped to sustain life in that war-torn country. But I take issue with the notion that UNPROFOR is responsible for cutting down on the numbers, the vast number of casualties. Secretary Perry testified to that in open session of the Senate Armed Services Committee.

I pointed out, at that time, the reason the casualties have fallen is because the Serbs have largely accomplished their objectives. They have cleansed those areas. They have murdered those people, so they achieved most of their objectives, so the casualties have come down. It is not in any way to diminish or denigrate the heroic effort on the part of UNPROFOR, but UNPROFOR really has not been there in order to defend against Serb aggression. They have been trying to deliver food and medicines and carry out a humanitarian mission—against all odds, I might add.

So I think there is danger in whichever direction we go. If we are to follow the French proposal, if we are to be asked to provide the helicopters and gunships necessary to transport French troops to certain regions, I can imagine what the Serb reaction will be. Let us not go at Gorazde, let us go over here to Tuzla. Let us pick a different location. Then we are into ferrying troops here and there with the risk, obviously, of losing our gunships, our transport helicopters, our men and women. That obviously will involve us in a very significant way.

So there is no easy solution. There is no happy ending to this tragic story. And whatever route we take is going to involve risk for the United States.

I listened with great interest to my colleague from Massachusetts saying there are no risk-free options. There are not. Every option we consider has great risks. But we have been standing by, year after year, and we have

watched the decimation of a people take place. And we have foundered because we have not had a consensus, we have not had a sense of obligation, we have not had a moral commitment to do much about it, other than to talk.

So I think the time for talking has reached an end. I believe we have to take action. Whether ultimately the Senate will go on record as supporting the Dole resolution remains to be seen. For the first time, I have heard my colleague from Massachusetts suggest an option, something akin to what President Bush put together for the Persian Gulf war. It will be interesting to find out what our allies think about such a proposal. I have not heard such a proposal offered on this floor before, or indeed in any of the international circles. Perhaps there is support for having a Persian Gulf-like armada go off into the hills of Bosnia and Herzegovina. I am not satisfied that is the case.

Nonetheless, I believe the time has come for us to take action, knowing full well there are risks involved. There are risks to the men and women who are in our armed services. There are risks involved that this will be seen as an effort to Americanize the war. There is also the risk that, indeed, the U.S. Senate, by its action, could be blamed for the failure which has preceded any action we might take. Those are risks we have to assume with full knowledge before we finally cast a vote, either today or sometime during the course of the week.

I yield the floor.

Mr. MOYNIHAN. Will the distinguished Senator from Maine yield for a question?

Mr. COHEN. Certainly.

Mr. MOYNIHAN. I know my colleague from Maine has been patiently waiting to address the Senate. I just want to first thank the senior Senator from Maine for what he has said; the very tone, the clarity, and the openness to the complexity that we face.

In November 1992 I made my way into Sarajevo and met, at UNPROFOR headquarters, with General Morillon, who was then the commander. Even as the evening mortars were beginning to descend on the neighborhood and he was heading off for a roadblock, I asked him what would be the possibility of lifting the arms embargo on Bosnia. And he made no comment as such, but said, "By all means, if that is what you want to do, but give me 48 hours to get my people out of here."

It was already clear that, had we enforced the sanctions on Serbia that were voted on May 30, 1992, had we cut off the oil—three-quarters of the oil used in Serbia is imported—if we just stopped it on the Danube, and had we just bombed every bridge in Belgrade, and more, we might have made our point.

We did not. And the UNPROFOR forces were hostages then; they are hostages now. But the Senator is aware that the same General Morillon is now part of the chiefs of staff in the French

Government, in Paris. He said just a week ago, "We have to declare war on General Mladic"—that is the commander of the Bosnian Serb forces—"or get out."

It is possible the French now are of that view. It may be that this is a real option. But it seems to me—I will ask the Senator if he does not agree—that it in no way precludes our responsibility under the U.N. Charter, under article 51. It reads so very clearly. It is unambiguous. It is emphatic:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations.

That is the Charter. If we cannot abide by that and allow the Bosnian Government to defend itself, then what has the last half-century been for? Would he not agree?

Mr. COHEN. I agree with my friend from New York. One of the great tragedies in all of this is that the United Nations has been deeply—not fatally perhaps—but deeply humiliated. Day after day after day, we have seen the Serbs flaunt their arrogance to the United Nations. To send blue-helmeted peacekeepers into that region, declare no-fly zones that go unenforced—in fact we see a reversal, an inversion, where the Serbs threaten the United Nations that they will shoot down any aircraft that they see in the no-fly zone. That is a complete inversion.

Mr. MOYNIHAN. Or on first sight of a NATO plane, they will cut the throats of eight Dutch hostages.

Mr. COHEN. Exactly. We have seen them use U.N. forces as hostages, make them pay tribute, demand that they give up 50 percent of their fuel or food or medicines in order to gain passage to the areas for which they were headed. It has been one humiliation after another.

Again, this is not to diminish in any way, to undercut the tremendous heroism being demonstrated by those who are there. But when the ground forces call in and say, "Please send us air cover," and someone sitting in Zagreb, or perhaps back in New York, says, "No, that might be too provocative," there has to be a level of exasperation among those who are now held hostage with the threat of their throats being severed in response to any action taken by the United States.

It seems to me that we have really very few choices here. We can say there is going to be an all-out war declared against the Bosnian Serbs, and mean it; saying we are going to wage holy hell, in terms of your country, for what you have done and continue to do, unless you are willing to sit down and negotiate a peace and not only to say it but to mean it. I am not sure—that means coming, sort of, I call it a Shaquille O'Neal: You come big or you do not come at all. That type of strategy. You come with power, overwhelming power, and you have a united front. It is not the United States, it is not Britain, it is not France; it is the United Nations represented by its members'

military forces, meaning you are going to wage war in order to help make a peace.

I have not seen such resolve offered or indeed generated by our European allies to date. It has been, more or less, these half-step, half measures. "Let's see if we cannot contain. Let's see if we cannot work out something." With no real threat that can be made, a legitimate threat, backed up by power. Each time we made a threat the threat has been empty. It has been idle. So each time there has been an idle threat made we have invited the arrogant display on the part of the Serbs.

So I say to my friend, we have some choices here. They are very clear, in terms of either go in, in a very big way, in a united way, in order to help make a peaceful solution—say it and mean it and do it, meaning that nothing is off base. It could be carried all the way to Belgrade if necessary. That runs a risk of running into a controversy with our Russian friends. That is why I raised the question yesterday. What is the role of the Russians in all of this? What have been the state of negotiations between the Russian diplomats and our own? Are they prepared to act, as a member of the United Nations, to really see that a peace is arrived at? Or has it been one of covert support, be it military or moral assistance, to those who continue to snub and to violate the U.N. sanctions? We do not know the answer to this. I do not know the answer to this. They obviously will be a major player. They can have a major impact on what is to take place. Obviously, if the arms embargo were to be lifted, we could foresee more arms going in to the Serbs as well as to the Bosnian Moslems.

Mr. MOYNIHAN. Surely the Senator would agree that it is time the U.S. Senate made its views known.

Mr. COHEN. We have come to that point. We have delayed and been irresolute too long.

Mr. MOYNIHAN. I thank my colleague.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, thank you.

Mr. President, I certainly want to commend the distinguished majority leader and the distinguished Senator from Connecticut [Mr. LIEBERMAN] for their bipartisan leadership on this matter. The moral question of whether to lift the arms embargo on Bosnia is a bipartisan issue.

The original cosponsors of this bill represent a distinguished cross-section of the Senate. And the legislation to lift the arms embargo passed the House by an overwhelming vote of 318 to 99. It received broad support from both sides of the aisle. It was sponsored by the Democrats. I believe that the U.S. Senate deserves to take a similar action on the Dole-Lieberman bill.

The Bosnia and Herzegovina Self-Defense Act is not a panacea. It will not

bring back to life the Bosnian women who have been raped, mutilated, and torn from their homes by advancing Serbian forces.

It will not return the thousands of Bosnian men who have disappeared into Serbian concentration camps never to be heard from again.

It will not erase 3 years of Serb genocidal atrocities in this war, which the Serbs call ethnic cleansing.

What this bill would do, however, is to return to a country and a people under siege their God-given right to defend themselves against naked aggression. This principle is enshrined in article 51 of the United Nations Charter, which states:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense.

Today, Bosnia faces perhaps its gravest threat from Serb forces that have already conquered 70 percent of the country's territory. These are the same forces that on July 11 overran the U.N.-designated safe area of Srebrenica, in blatant violation of the U.N. Security Council and their own earlier agreements.

These are the same forces that promised not to take any future U.N. personnel as hostages, yet captured Dutch peacekeepers as they advanced on the town and used them as human shields against NATO airstrikes.

And these are the same forces that murdered, raped, and disappeared the people of Srebrenica and today they are poised to overrun Zepa, another U.N. safe area, with inevitable similar results.

Mr. President, the Bosnian Government is not asking for United States troops to come to their aid. They are not asking Americans to fight and to die to turn back the aggression of the Bosnian Serbs. They are, however, asking for us to stop impeding their own ability to fight—and, if necessary, to die—to defend their own homes and families from Serbian aggression.

I would like to take a moment to respond to the two main arguments the administration has made against this legislation. No. 1 is that the United States should take this action, but should do so only multilaterally, not unilaterally. I have two responses to this. First, this is an argument that says no matter how bad things may get in Bosnia, we must allow any single permanent member of the Security Council to prevent us from doing what we know to be moral and right.

But there is an equally strong legal argument. I challenge any of my colleagues to find a Security Council resolution that places an arms embargo on the sovereign nation of Bosnia and Herzegovina. In 1991, the Security Council placed an arms embargo on the country of Yugoslavia in a failed effort to prevent the outbreak of violence in the Balkans.

A year later, in 1992, Bosnia, Croatia, and Slovenia gained their independence from Yugoslavia. These countries

quickly received diplomatic recognition from the United States and Western Europe, and they were admitted to the United Nations as sovereign states.

At that time, the United States should have simultaneously recognized the legal status of these countries as not being the Federal Republic of Yugoslavia—which today encompasses only Serbia and Montenegro. At that time, we should have had the political courage to do what was right. We did not—and I recognize that this error was made in the waning months of the Bush administration.

Mr. President, I voted for the Hyde amendment to lift the arms embargo 2 years ago in the House. I believe that the Bush administration got this issue wrong, and the Clinton administration continued that error, despite Clinton's campaigning against President Bush's policy in Bosnia. But it is never too late to do what is morally right and legally correct. That is what this bill is intended to do.

The administration's second argument against this bill is curious, because it is logically incompatible with the first, which argues that we should lift the embargo but should do so multilaterally.

The second argument is if we were to lift the embargo at all, it would only encourage more bloodshed, or that the Bosnian Serbs would immediately launch an offensive against remaining Bosnian Government territory to take advantage of their military superiority while they still have it.

I have a simple response to this. Just look at what is happening today—even as we talk—in Bosnia. Do we have any right to determine for the Bosnian people whether they should choose to fight for their lives and their independence against aggression? Must we tell them that their duty to the international community is to die quietly and submissively, to avoid provoking the Serbs even further?

Mr. President, the Dole-Lieberman substitute adds an important element to the original version of S. 21. It delays its effective date to 12 weeks after enactment to permit time for the withdrawal of the U.N. protection force in Bosnia. The President may extend this another 30 days, if necessary, for the safe withdrawal of UNPROFOR.

I think it is also important to mention, especially in response to the Senator from Massachusetts, who earlier said that the Bosnians want both—they want to lift the embargo as well as keep UNPROFOR in place—but that is not what this resolution says. It requires that, prior to the termination of the arms embargo, the United States Government has to receive a request from the Bosnian Government for a termination of the arms embargo. In addition, they have to request the U.N. Security Council for departure of UNPROFOR, and there has to be a decision by the U.N. Security Council, or decisions by countries contributing forces to UNPROFOR, to withdraw

UNPROFOR. So the point is that has to occur before we lift the embargo.

I think this resolution, in the final analysis, is perhaps an overdue recognition, unfortunately, that UNPROFOR, as constituted, has no viable mission.

UNPROFOR is incapable of protecting the victims of this war. It is incapable of keeping open humanitarian supply routes. And it has become the pawn of the Serb forces who now routinely using U.N. forces as hostages to protect their own military advances.

In Bosnia, the United States and other Western nations have supported policies that have put NATO and U.N. forces into the midst of a raging civil war with a complicated line of command that weaves and snakes its way through the United Nations through NATO, and through the labyrinth of bureaucracies in various national governments.

This U.N. Protection Force in Bosnia is not a humanitarian mission, because it is not perceived of as neutral. It is not a traditional peacekeeping force, because there is no peace to keep.

And it cannot be merely a fighting force, because it does not have a military mission and does not have adequate rules of engagement required for combat.

Call it the "no-name" defense. No one knows exactly what it is—or what it should become.

But this confusion and timidity has had consequences. It has had consequences for those Bosnians who apparently believed that the United Nations designation of so-called safe areas actually meant anything. And it has had consequences for NATO personnel who struggled to defend themselves under the United Nations mandated rules of engagement.

Last month, Lt. Gen. Wesley Clerk, Director of Plans and Policy of the Joint Chiefs of Staff, revealed in an open session before the Foreign Relations Committee that the NATO flights over Bosnian Serb areas under Operation Deny Flight have been hampered by the U.N. refusal to grant our forces the right to defend themselves. The United Nations has expressly denied past NATO requests for authority to take out Bosnian Serb surface-to-air missile batteries that have fired at our planes enforcing the no-flight zone over Bosnia, the very same missiles that shot down Scott O'Grady during a mission over Bosnia not long ago.

As we all know, NATO made a request to take out the surface-to-air missiles last year when a British plane was shot down, and they were denied. They were denied then and they are denied now because such an action could provoke the Bosnian Serbs—could provoke the Bosnian Serbs. Exactly what are the Serbs doing today?

The key question is whether the status quo is something that makes sense for the long term and whether it is leading to any acceptable solution in Bosnia. I believe that the current situ-

ation makes no sense precisely because UNPROFOR has no coherent goal, and it certainly cannot function for the purposes for which it was originally designed and intended. As the loss of innocent human life increases, our options to stem the tide of the bloodbath decrease conversely.

I have long supported the lifting of the United States arms embargo in Bosnia, and that is why I think this resolution is so critically important. Unfortunately, it comes late, is long overdue, knowing the thousands and thousands of casualties in Bosnia, but the fact remains that we have to do what is right now.

I support this measure because I think it clearly gives the Bosnians the understanding that lifting the arms embargo is out of respect for their inherent right of self-defense, and I think we can do no less under these very circumstances. And considering the fact that we look at the safe haven issue and what has already happened—we have lost one, perhaps we will lose another—the fact remains these people, these refugees going to these safe havens think they are protected, and they are not. So the time has come to do something different, to introduce a different dynamic.

I do not support the authorization of ground troops, and again this resolution stipulates very clearly that there will be no authorization of ground troops but for the purposes of training and support of military equipment. I do think we should give the Bosnian Serbs a right to defend themselves.

Mr. President, I ask unanimous consent to have printed in the RECORD an article that appeared in the Washington Post today that was written by Richard Perle, the headline of which says, "Will We Finally Recognize the Right to Self-Defense?"

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 19, 1995]
WILL WE FINALLY RECOGNIZE THE RIGHT TO SELF-DEFENSE?

Today the majority leader of the U.S. Senate, Robert Dole, and Democratic Sen. Joe Lieberman will once again propose legislation that would require President Clinton to end U.S. participation in the U.N. embargo barring the supply of arms to the government of Bosnia.

This time, unlike the previous occasions on which similar legislation was defeated, Dole and Lieberman have more than enough votes to win. Administration arguments on Bosnia, steadily undermined by events, are no longer convincing. Indeed, among the growing majority of senators and congressmen who believe the embargo is wrong and should be lifted are many who have, until now, accepted Clinton administration arguments that lifting the embargo would damage NATO, widen and "Americanize" the war and lead to increased casualties among the Bosnians.

The deterioration of the administration's case was inevitable. After all, it was the president himself who argued the invalidity of the embargo during the 1992 campaign and who promised to end it immediately upon taking office. It was the president who dis-

patched Warren Christopher to Europe in May 1993 with a reasoned, prudent proposal to lift the embargo on Bosnia and provide air strikes to support the Bosnian government.

Sadly, dangerously, Clinton lacks the courage of his convictions. And every member of Congress knows that a weak and indecisive president, acquiescing to allied demands, has been singing Europe's tune since his policy—now Dole's—ran into opposition from weak governments in Britain and France.

Many members—but fewer with each diplomatic failure, each humiliation of NATO at Serb hands, each ghastly shelling of women and children—opposed unilateral lifting of the embargo, until now. They believed that diplomacy would soon achieve results, that our European allies, who had sent their sons to create safe havens in Bosnia and keep peace between warring parties, would eventually succeed, that lifting the embargo would weaken or even destroy the North Atlantic Alliance.

Hardly anyone in Washington now believes that diplomacy will succeed or that America's NATO allies have either a serious policy or the will to implement one. Few now agree that the way to save NATO is for the United States to abandon its leadership of the alliance and cave in to weak European policies. And most members of Congress have grown weary of hearing from London and Paris that the U.S. Congress has no right to insist on a new policy because we did not follow British and French folly in sending ground troops to Bosnia. For an increasing number of Americans, those troops were unwisely sent in harm's way with no clear mission under paralytic U.N. guidelines that render them hostages and prevent them from defending themselves, much less the Bosnians they are there to help.

With television images of unbearable brutality and suffering, most members of Congress have found it increasingly difficult to put aside the central truth about the war in Bosnia: that it is a war of territorial aggrandizement carried out by well-armed Serbs, largely against unarmed civilians, a war in which the shelling of towns and villages, rape, pillage and massacre are the instruments of "ethnic cleansing."

They deplore the failure of the United Nations to distinguish between the perpetrators and the victims of aggression. They are angry that NATO forces, including U.S. air forces, have been subordinated to the United Nations. In increasing numbers they believe, as Clinton once did, that the government of Bosnia has an inalienable, inherent right to self-defense of such primacy that it can no longer be abridged in the interests of "NATO unity" or theories about how to contain the war and keep it from spreading. They accept that participation in an embargo that keeps the Bosnian Muslims hopelessly outgunned creates a moral obligation to defend them. Yet they know it is an obligation the West, has cynically failed to honor.

For a while, many members accepted the administration's argument that lifting the embargo would merely prolong the war and increase the suffering. Now they are appalled to hear this argument, from British officials especially. They remember that the same argument could have been made in 1940 when Lend Lease "prolonged" a war that might have been ended quickly by British surrender or Nazi victory.

As they look for an end to the fighting, they now see that with their monopoly of heavy weapons protected by the embargo, the Serbs have no intention of bringing the war to an end. They are placing new credence in Sen. Dole's argument that the surest way to end the fighting in Bosnia is to enable the Bosnians to defend themselves.

Dole's legislation recognizes that the U.N. mission in Bosnia is bankrupt and that the

U.N. forces there must be withdrawn as the Bosnians are armed. It contemplates their withdrawal by allowing time for the British, French and other governments that have troops on the ground to bring them home.

Time to get home safely. That is a great deal more than the Western powers have so far given the people of Bosnia.

Ms. SNOWE. I yield the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. May I congratulate the Senator from Maine on a carefully balanced, reasoned, and documented statement. I particularly appreciate the reference to Richard Perle's article this morning. The right of self-defense is an innate right under international law. It was what the U.N. Charter was all about. Fifty years ago this June the charter was adopted, with a very specific decision by President Roosevelt and the United Kingdom, after much debate, that article 51 would be included.

She is so right, I believe. Had we only understood that when the original embargo was placed on Yugoslavia, the Yugoslavian Government in Belgrade—the Serbian Government, in effect—in Belgrade asked for it, knowing it controlled the armaments of Yugoslavia itself and not wishing to have any weapons go to successor states. But when Bosnia and Herzegovina, as with Croatia, as with Slovenia, became independent Members of the United Nations, they had a right to arms, a right to defend themselves.

You can make the clearest case, in my view—the Senator may not agree—that the present embargo is illegal and contrary to the charter.

So I thank her, and I hope she is widely attended.

Ms. SNOWE. I appreciate the words of the Senator from New York and his leadership on this issue as well. He is absolutely correct with respect to the arms embargo. Regrettably, it did not happen before. They do have the inherent right of self-defense, and that is what we should give them now.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, I wish to thank my colleagues for the excellent debate. I have been listening to the debate all morning on the pending matter. I appreciate the fact that we have underscored again this is not partisan at all. It is nonpartisan, bipartisan. It is not an attack on this administration. As I have said, many of us were just as critical of the previous administration, the Bush administration. But I think the debate is good. I know that the Democratic leader indicates we may not be able to vote today, but hopefully we can tomorrow, or there may be amendments.

Mr. MOYNIHAN. Mr. President, the Senate continues consideration today of the Bosnian arms embargo with the Dole-Lieberman substitute, of which I am a cosponsor and which I rise to support. I rise, sir, in the context of the ceremonies that took place in San

Francisco on June 26 where our revered senior Senator from Rhode Island was present, having been present at the creation of the San Francisco Conference, in 1945. He was there 50 years later. And he was then carrying, as he invariably does, his U.N. Charter. And to say, sir, that the issue that confronts us in the Balkans and in Bosnia and Herzegovina, Croatia, and in surrounding areas is the elemental issue which the charter of the United Nations was designed to address. The charter is above all a treaty about the use of force in international affairs. It arose out of the Second World War, which in so many ways was a continuation of the First World War, which began in the setting of territorial aggression, the armed forces of one nation crossing the borders of another for purposes of annexation.

It is a great irony that the First World War began on a street corner in Sarajevo, with the assassination of the Archduke by a young Serb nationalist named Princip. I stood on that street corner Thanksgiving 1992 with bullets from an AK-47 coming across the Princip Bridge. I thought, "My God, this is where the 20th century began and now it is going to end, here." After all we have been through.

The idea of collective security was put in place in San Francisco. We had hoped to do so in the League of Nations, which had failed partly because the United States had not joined but partly because the lessons had not yet been learned and had not yet been absorbed. Here we are 50 years later and it turns out they still have not been absorbed.

The charter provides first of all under article 24 that the Security Council will be responsible for the maintenance of international peace and security.

In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree in carrying out its duties under this responsibility the Security Council acts on their behalf.

Mr. President, I served as our representative at the United Nations under President Ford. I have been President of the Security Council. And I cannot express how painful it is to see this first test of the charter following the end of the cold war, which paralyzed the United Nations for reasons we understood for so long, but now, in this first test, this clear bright line test, to see us failing. Failing in a manner that history will judge contemptible. We have not yet failed. But we are failing.

Security Council Resolution 836 of June 4, 1993, declared that acting under chapter 7 of the charter, the Security Council decides "To deter attacks against the safe areas." It goes on to authorize UNPROFOR "to take the necessary measures, including the use of force, in reply to bombardments against the safe areas by any of the

parties or to an armed incursion into them or in the event of any deliberate obstruction in or around those areas to the freedom of movement of UNPROFOR or of protected humanitarian convoys."

That has been the Security Council proposition for the last 2 years. And we are seeing it being shredded, being treated with contempt, and being made a nullity.

We do so, sir, at the risk not just of the independence and the integrity of the state of Bosnia and Herzegovina, but of the whole world order we had hoped to put in place in San Francisco, with the Second World War still under way in Asia—Japan was to surrender almost 2 months later.

As I remarked earlier to the Senator from Maine, in November 1992 I traveled to Sarajevo and I reported back a long memorandum to the President-elect saying that this would be the central foreign policy issue that would be awaiting him on his inauguration. The trip into Sarajevo was not what it should have been. I was then a member of the Foreign Relations Committee. I was traveling on official business. We informed the NATO command and the United States Air Force that we would be coming, myself and now-Ambassador Galbraith, the Ambassador in Zagreb; that we would be in Frankfurt and hoped to go to Sarajevo. This was sent by cable. It was fully understood we were coming and meant to go down in that part of the world.

We arrived and the base commander knew nothing of our trip. I said I would like to go to Sarajevo, and he piled us into a station wagon and roared across the tarmac and there was a C-130 manned by the West Virginia Air National Guard, propellers just beginning to turn, with a cargo of meals ready to eat for Sarajevo. We got on board, and off we went.

Halfway across Austrian airspace, because countries were opening up their airspace for this purpose, we received a message that said "Members of Congress are not allowed into Sarajevo." I simply said, "Signal back that if the West Virginia Air National Guard could take the risk, so could I and that I had no intention of being diverted." Silence. Then a half hour later a signal came that the airport at Sarajevo had closed, which certainly could have been the case. Sarajevo is in a bowl. The lid of fog goes up and down, up and down.

We landed, diverted to Zagreb, and got off. The American Chargé d'Affaires was there at the airport, which was not far from downtown. I apologized for parachuting in thus, explaining that the airport was closed. He said, "What do you mean it is closed? Two C-130's just took off." The airport was indeed open. Which it is not always, and when it is one knows.

I was lied to, which is not a good practice. It took me a year to get the Air Force to sort out what happened. The word came from Washington. They did not want us to know what was

going on in Sarajevo. As the junior Senator from Maine has said, this is a matter that has crossed two administrations. We are not here on a partisan issue. We are here in response to an international emergency which we have helped create.

The Canadians got me in to Sarajevo the next day. The British got me out the day after that. We arrived in Sarajevo and went through hellish small arms fire in a Ukrainian armored personnel carrier. If you have ever been in a Ukrainian armored personnel carrier, you would have a better understanding how they prevailed over the Wehrmacht. If you can live in those, you can live in anything. We went directly to the UNPROFOR headquarters and met with General Morillon. He was very open. When asked should we not lift the embargo on Bosnia—clearly an illegal embargo as Article 51 gives the absolute right to self-defense—Morillon said, "Do so if you want, but give me 2 days to get my people out." They were already hostages. We allowed that to happen by injecting them into a situation where there was no peace to keep. There was just the aggressor and the member state aggressed against.

That is the fundamental fact that Senator DOLE and Senator LIEBERMAN bring before us today. You cannot have seen those UNPROFOR forces without admiring them. I will cite Anthony Lewis in this matter when he referred to General Morillon's recent statement that we have to declare war on General Mladic, commander of the Bosnian Serb forces, or get out. Anthony Lewis went on to say:

General Morillon's words pithily summed up one lesson of Bosnia for the Western alliance: To intervene in a conflict and pretend there is no difference between the aggressors and the victims is not only dishonorable but ineffective.

He says further that the UNPROFOR forces deserve the greatest admiration, but they have been given an impossible task.

A year ago on this floor, I put the same proposition. I said the forces "deserve our utmost support. But if we are to refrain from helping the Bosnians out of concern for their welfare, let us at least be candid and call the members of UNPROFOR what they have become: hostages."

This was a year ago on this floor. I said, if we are going to refrain from helping the Bosnians out of concern for the welfare of those troops, "let us at least be candid and call the members of UNPROFOR what they have become: hostages."

Now this has taken on a miserable, contemptible mode. We are told that—as I read this morning—if Bosnian Serbs see one NATO plane in the sky, they will cut the throats of the Dutch soldiers they have taken hostage. That is what we are dealing with.

At the very minimum, we can understand that the grotesque fact of this whole horror has been our denial to the Bosnian Government of its innate right

of self-defense. We have put an embargo on the capacity of the member country aggressed against to defend themselves. Remember that one of the central purposes of the original embargo against Yugoslavia itself was the fact that Belgrade had control of all of the armed forces and the material of the Yugoslav Government. It did not want any successor states to get it, and the Bosnians had none. That they are still there 2½ years later is hard to contemplate. But they are still there. They have begun to arm themselves. They have begun to train, and they have not been overrun.

Now all we are asking is to grant them what is their right at law, which is the right of self-defense.

The issue has been raised, if we act in what we are doing and the United States proceeds unilaterally, will this put in jeopardy the authority of U.N. sanctions in other areas of the world? When we debated this last year, I addressed the question as follows:

First, we are asked, if we lift this embargo how will we resist other nations lifting embargoes on Iraq, Serbia and Libya? How, that is, shall we distinguish between lambs and lions, between victims and aggressors? By looking at the facts. Iraq was an aggressor, not the victim of "an armed attack" giving rise to Article 51 rights. Serbia is not subject to an armed attack. Nor is Libya. Each of these states is as clearly an aggressor or violator of international law as Bosnia is clearly a victim.

To be clear: lifting the embargo on Bosnia creates no legal or factual precedent for ignoring valid enforcement action taken against an aggressor state. Article 51 applies solely to the victim of an act of aggression.

This right to self defense was so obvious and fundamental that the United States delegation to the San Francisco Conference at first opposed including language on the right of self defense in the charter for fear that such a provision might be used to limit the right of self defense. In a dispatch to the New York Times from the San Francisco Conference, James Reston described the breakthrough which produced article 51:

San Francisco, May 15 [1945].—President Truman broke the deadlock today between the Big Five and the Latin American nations over the relations between the American and world security systems.

After over a week of negotiating, during which American foreign policy was being made and remade by a bi-partisan conference delegation, the President gave to the Latin American nations the reassurance which they wanted before accepting the supremacy of the World Security Council in dealing with disputes in the Western Hemisphere. . . .

This assurance was announced late tonight by Secretary Stettinius, who said that an amendment to the Dumbarton Oaks proposals would be proposed reading substantially as follows:

"Nothing in this charter impairs the inherent right of self defense, either individual, or collective, in the event that the Security Council does not maintain international peace and security and an armed attack against a member state occurs. . . ."

Mr. President, we have been here before. That charter was in so many ways

written in response to the failure of the collective security arrangements of the League of Nations, of which the most conspicuous was the civil war, so-called, in Spain. A group was put together, called the Lyon Conference, where representatives of Britain, France, Germany, and Italy agreed in 1936 to stem the flow of supplies to both sides. France and Britain complied with the agreement. Germany and Italy ignored it, and in a very little while, the world was at war at large.

I would like to end these remarks by quoting two citations from the New Republic. Both are addressed to the President of the United States:

[We] urge you to act at once in raising the unneutral embargo which is helping to turn Spain over to the friend of Hitler and Mussolini . . . Is the course of this country determined by the wishes of . . . Great Britain? . . . Perhaps you believe that it is too late to do anything. But you probably believed that last spring . . . Mr. President, we urge you not to hesitate or delay. We can imagine no valid reason for you to do so. You have spoken bravely—in some cases, we believe, so bravely as to be foolhardy. But here is something that you can safely do—and do now. Why not make your acts correspond with your words?

This Telegram to the President was dated February 1, 1939. We did nothing. In no time at all, we were attacked and the war became a world war.

And now, more recently, Mr. President, from the New Republic of May 9, 1994:

The administration does not grasp that moral principles are also analytically useful. Consider its most frequently stated explanation for its timidity in the Balkans. It is reluctant, it says to "take sides" in the conflict. It aspires to neutrality, in other words, between the Serbs and the Bosnians, between the conqueror and the conquered, between the raper and the raped. This is a kind of blindness, alas, that no major diplomatic initiative will cure.

I think we have all been impressed with the candor of the Assistant Secretary of State for European Affairs, Richard Holbrooke, who called the situation in Bosnia and Herzegovina "the greatest collective failure of the west since the 1930's." That a U.N. declared safe area could be allowed to be taken is shameful. That one week later no measurable response from the United Nations has been recorded is potentially fatal. The analogies to the confusion of the 1930's—the undoing of the League of Nations—are not idle. Our actions, or lack of action, in Bosnia will be defining. It will indicate whether or not we are committed to abiding by the legal structures put in place at San Francisco a half century ago in the wake of two world wars, and now, at long last, tested in a clearest possible setting—a setting in which those wars began, Sarajevo, 1914.

If what we constructed in the wake of two world wars in an effort to prevent the third is not adhered to, the alternative is chaos. It will spread much more rapidly than we think. We will

have lost the central legal, moral principle of world order we undertook to set in place—which we defended at enormous costs through 50 years of cold war. Now to see it trivialized and lost in the Balkans is an act for which we will no more be forgiven than were the leaders of Europe that let the war in Spain lead on to their own—the Second World War, from which they have never yet recovered.

Mr. President, it is not too late, although it is very late indeed. The Republican leader and Senator LIEBERMAN are very much to be congratulated. I very much hope the Senate will support them and that the administration will get the message, as well as the rest of the world. They have been listening to us with great care and attention, as well they ought, after the contributions we have made to the rest of the world these past 75 years.

Thank you, Mr. President. I yield the floor.

(Mr. COATS assumed the chair.)

Mr. MCCAIN. Mr. President, yesterday the President's spokesman labeled the proposal to lift the arms embargo against Bosnia a nutty idea. Given the quality of invective in what passes for political debate today, Mr. McCurry's remark seems to me a rather light censure.

However, it is fair to observe that to make such a charge, Mr. McCurry had to exceed the already Olympic standards of hypocrisy that the administration has established throughout the many twists and turns of the catastrophe that is its Bosnia policy. Let us consider two truly nutty ideas, offered by the Governments of France and the United States which will be considered at the ministerial level by NATO governments this Friday.

Let us consider what the administration is reportedly proposing to do about the rapidly deteriorating situation in Bosnia.

As I understand it, the administration has rejected French President Chirac's proposal to reinforce peacekeepers in Gorazde. Instead, administration officials have proposed more aggressive NATO air strikes against Bosnian Serb forces currently besieging Gorazde.

Before commenting on the two proposals, Mr. President, I must caution that they are only the proposals of the moment. As France's and the United States positions on Bosnia have experienced for many months now dizzying and frequent metamorphoses, no one can be certain that today's proposals will resemble tomorrow's.

Neither idea has been conceived in anything approaching a historical review of the failure of the United Nations and the West's efforts to resolve the Bosnian conflict or even, apparently, a rational analysis of the present circumstances in Bosnia. Both ideas are certainly unsound as deterrents to Bosnian Serb aggression and as remedies to the decline of the Atlantic Alliance.

Let us first consider President Chirac's call for reinforcing U.N. peacekeepers in Gorazde with an additional force of up to 1,000 French and British troops who would arrive in Gorazde aboard American helicopters, accompanied by American gunships, and after Serbian air defenses had been suppressed by NATO warplanes.

President Chirac has threatened to remove existing French peacekeepers if his plan is not adopted by NATO. I have no idea if his threat is serious or imminent. Nor do I particularly care.

We can be certain, however, that France will withdraw its peacekeepers from Bosnia, as will all other countries who have contributed troops to UNPROFOR, and that the United States will conduct the withdrawal. All that remains uncertain is whether the withdrawal will occur in a few days or a few weeks or a few months. All that will be accomplished by deploying more French or British or Dutch troops to Gorazde is to complicate our contingency planning and to make more dangerous our eventual evacuation of UNPROFOR.

At one point last week, both Presidents Clinton and Chirac indicated their preference that UNPROFOR retake Srebrenica from the Serbs. They wisely re-thought that suggestion moments after making it. However, the difference in degree of foolishness between their previous suggestion and the idea that we can somehow prevent Serbian advances and retain a peacekeeping function by reinforcing UNPROFOR's failure in the eastern safe areas is, quite obviously, only marginal.

Again, the deployment of a few hundred or a thousand or 10 thousand additional forces to UNPROFOR will only increase the number of hostages to fortune currently at risk in Bosnia, exacerbate the confusion in Bosnia about the West's commitment to peace in Bosnia, worsen the burden on the United States when we extract UNPROFOR, and get a lot of Americans and our European comrades-in-arms killed in the bargain.

Only marginally less ridiculous is the administration's proposal to use NATO air power more aggressively to defend Gorazde. What constitutes more aggressive air strikes is, of course, unknown. Since the use of NATO air power in this conflict to date has been so inconsequential, so utterly futile, its more aggressive use could mean little more than an intention to actually harm a single Serbian soldier.

Interestingly, the administration proposes this option to counter President Chirac's proposal because they fear the latter would make NATO a belligerent in this war. What, pray tell, does bombing the Serbs make us—a disinterested third party?

Mr. President, I do not believe in the occasional, or the incremental, or the half-hearted, or the uncertain, or the timid use of American force. History has shown its contempt for doubt and

vacillation in the decision making process which sends Americans into harm's way. If we commit force it must be with confidence that we can affect a substantial improvement in the situation on the ground in Bosnia. Can anyone—anyone—be even fairly certain that bombing a little more artillery, or a few more tanks will really deter Serb aggression?

I have never believed airstrikes alone could make difference in the course of the conflict in Bosnia. Winning wars, as I have often observed in our many debates on Bosnia, is about seizing and holding ground. You cannot do that from the air.

I have been strongly opposed to the almost comical pinprick airstrikes authorized by the United Nations, against Serb military targets following Serb attacks on civilians and UNPROFOR forces. I have little faith that the more aggressive use of NATO air power—whatever that entails—will accomplish anything more than to momentarily make the West feel a little better about its manifest failure in Bosnia. My opposition to air strikes today rests in the same argument I made a year ago.

When the United States commits its prestige and the lives of our young to resolving a conflict militarily then we must be prepared to see the thing through to the end. If you start from the premise—and I have heard no voice in Congress oppose this premise—that American ground forces will not be deployed to Bosnia for any purpose other than to help evacuate UNPROFOR, then you identify to the enemy the circumstances under which you can be defeated. You have indicated the conditionality, the half-heartedness of our commitment. And you have told the Serbs: We may bomb you, but if you can withstand that, Bosnia is yours.

NATO's ineffectual use of air power to date has clearly indicated to the Serbs that they can withstand the limit of the West's commitment to Bosnia. No one, no one in Congress, no one in the administration, no one in the Pentagon can tell me with any degree of confidence that even more aggressive air strikes will determine or change in any way the outcome of this war.

The American people and their representatives in Congress have already made the most important decision governing United States involvement in Bosnia. As a nation, we have decided that the tragedy in Bosnia—as terrible as it is, as unjust as it is, as brutal as it is—the tragedy in Bosnia does not directly affect the vital national security interests of the United States. We made that decision when we decided not to send American infantry to fight in Bosnia.

Some in Congress and elsewhere have argued the opposite, that the war in Bosnia does threaten our most vital security interests to the extent that it has the potential to spread throughout the Balkans, and even to provoke open

hostilities between two NATO allies. I believe that we can contain the conflict. But for the sake of argument, let us consider the conflict as a direct threat to our security.

If the U.S. Government feels our national interests so threatened then they should—they must—take all action necessary to defend those interests. If our vital interests are at risk then we must say to the Serbs and to Serbia: You have threatened the security of the United States, the most powerful nation on Earth. We intend to defend our interests by all means necessary, and you can expect the invasion of Bosnia by American ground forces supported by all available air and sea power.

But the fact is, Mr. President, that neither Congress nor the President would support such a grave undertaking. Why? Because we cannot make a plausible argument to the American people that our security is so gravely threatened in Bosnia that it requires the sacrifice, in great numbers, of our sons and daughters to defend.

So let us dissemble no longer about how the war in Bosnia threatens the security of the United States. It does not, and we all know it. What the President will apparently decide is to try by the incremental escalation of air power to bluff the Serbs into ceasing their aggression.

As I already argued, the previous use of NATO air power has done little more than aggravate the bleeding of American and NATO credibility. Additional air power, especially the levels contemplated by the President and our allies, will be no more decisive in Bosnia than our previous attempts to bluff the Serbs from the air.

A committed foe—and I have no doubt that the Serbs are committed—can and will resist enormous levels of carnage wrought by air power. In Vietnam, we bombed the Than Hoa bridge over a hundred times. We unleashed the awesome destructive power of the B-52's on Hanoi, a devastation I witnessed personally, and still we did not destroy their will to fight.

I fear the Serbs will endure whatever air strikes NATO next undertakes, and will continue their conquest of Bosnia. I fear this, Mr. President, because the Serbs know in advance the limit of our commitment to Bosnia. They know we will not send troops to fight on the ground. They know there are limits to the escalation of any bombing campaign we are prepared to undertake, because of the extreme tactical difficulties posed by the climate and terrain, and because of the certainty that such strikes will do terrible collateral damage.

Mr. President, I fear that both the Governments of France and the United States, are asking us to increase our involvement in an undefined military adventure in Bosnia where the limits of our force are known to our enemy in advance of its use; where out of concern for our prestige we will be drawn

deeper into war or compelled to sacrifice further that prestige and many lives to a cause we were not prepared to win; and where the aggrieved party has been prevented by us from fighting in their own defense even as we decline to fight for them.

There is but one honorable option remaining to us, Mr. President, that is to terminate the failed UNPROFOR mission, remove all U.N. officials from any further responsibility to preside over the destruction of Bosnia; assist in the evacuation of UNPROFOR, and lift the unjust arms embargo against Bosnia. That is what the majority leader and Senator LIEBERMAN's resolution proposes to do, and all the arguments arrayed against it are, in the words of Mr. McCurry, "nutty."

Lifting the arms embargo against Bosnia is the only action which the United States and the U.N. can take that might help the Bosnians achieve a more equitable settlement of this conflict without deploying massive levels of NATO troops to roll back Serb territorial gains.

Better armed and better able to defend themselves, the Bosnians might be able to present a more credible, long term threat to Serb conquests, and by so doing, convince the Serbs to rethink their refusal to relinquish any substantial part of their territorial gains.

But even if lifting the embargo only exacerbates the violence and hastens Serbian advances, it has an advantage that our current Bosnia policies lack—it is just. It is just.

We have all heard the arguments that if the West wants to economize the violence in Bosnia and contain its spread then we will not lift the embargo, but sustain UNPROFOR.

Shall we sustain the policy which allowed the Serbs to block delivery of humanitarian relief; that allowed Srebrenica to fall and that has already stipulated its assent to the imminent fall of Zepa; which tolerates ethnic cleansing and reported war crimes that if even half true should shame us for a generation? Shall we sustain this policy? For what another few days, weeks? Until Gorazde falls? Sarajevo?

Mr. President, if we will not fight for Bosnia, than we are morally—morally—in the wrong to prevent Bosnians from fighting for themselves.

We cannot continue to falsely raise the hopes of the Bosnian people that the West will somehow stop Serb aggression by maintaining unarmed U.N. forces in Bosnia where they serve as likely hostages rather than a deterrent to Serb aggression. We cannot tell Bosnians any longer that it is better to attenuate their destruction rather than to resist it. We cannot any longer refuse the defense of Bosnia while denying Bosnians their right to self-defense. We have come to the end of that injustice, Mr. President.

I cannot predict that Bosnians will prevail over the Serb aggressors if we lift—at this late date—the arms embar-

go. I cannot predict that Bosnians will even recover enough territory to make an eventual settlement of the conflict more equitable. I cannot predict that Bosnians will mount anything more than a brief impediment to Serbian conquest of all of Bosnia. But they have the right to try, Mr. President. They have the right to try. And we are obliged by all the principles of justice and liberty which we hold so dear to get out of their way.

Mr. President, I yield the floor and, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HEFLIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEFLIN. Mr. President, I am not going to really make a speech on the issue of the arms embargo on the Government of Bosnia and Herzegovina, but rather attempt to raise some issues and some questions.

There have been a number of questions about what would happen in the event that the United States unilaterally lifts the arms embargo. Some of the questions that have come to my mind—and for which I do not have the answers—I think are important, and I think we ought to ask a number of questions and attempt to at least analyze those questions, and, of course, hopefully to come up with answers.

Some of my questions are, first, how close to winning the war are the Serbs? Second, if we arm the Bosnians, what are their chances of winning the war? Third, if we arm the Bosnians, and they cannot win the war, then there seems to be a number of questions that ought to be considered, such as the following:

What are the consequences in terms of death and other casualties?

What will be the likelihood of the enlargement of the conflict to other areas and countries?

What period of time will it take to train the Bosnians and assemble arms sufficiently to make the Bosnians into a credible fighting force?

During the period of time that it would take to train the Bosnians and assemble the arms, can the Serbs intensify their fighting sufficiently to make victory for the Serbs inevitable?

What type of victories must the Bosnians win, and how many such victories will be necessary in order to bring about a negotiated peace?

Then, I think one of the ultimate questions we have to ask is what are the prospects of a lasting peace without a complete, unconditional surrender by one side or the other?

I do not know the answer to these questions. But I think these questions ought to enter the thought processes of each Senator in making his decision on this issue.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Mr. President, I rise in support of the Dole-Lieberman substitute amendment to S. 21, the Bosnia and Herzegovina Self Defense Act of 1995.

The events of the last week in Bosnia are appalling. Not only does the tragedy continue, but the latest attack on so-called safe areas has resulted in a new level of violence aimed at civilians, a new wave of ethnic cleansing and the creation of a whole new refugee population.

The position of the United Nations in Bosnia is increasingly untenable: its role in delivering humanitarian aid is marginal, its role in protecting "safe areas" is dominated by spectacular and deadly failures. The fact that the United Nations chief role in Bosnia increasingly is offering hostage targets to the Bosnian Serbs would be laughable if it were not so sad. Not only are our allies' brave and dedicated soldiers being put at risk, but their role as hostage targets has virtually guaranteed inaction by NATO air power no matter how brutal and blatant Bosnian Serb aggression becomes—whether it is aimed at Bosnian Government forces, at civilians, or even at the U.N. peacekeepers themselves.

The United Nations must strengthen its position in Bosnia or get out. At a minimum, it must reconfigure its troops into stronger and more easily defended units. I am inclined to support efforts by the administration and our European allies to do this, if it can contribute to offering real protection to the currently misnamed "safe areas." In the end, however, if the resulting UN forces have no viable mission to carry out they should be withdrawn. U.S. and NATO assistance in this effort would be appropriate.

I do not support the use of U.S. ground troops to take sides in this war, or simply to assist a feckless U.N. force. But NATO air power can contribute to protection of Bosnian "safe areas" or at least deter further Bosnian Serb aggression. It should be used. We have a moral responsibility to allow the Bosnians to defend themselves and to try to end the one-sided slaughter. And our broader security interests will be seriously damaged if we allow this aggression to go unchallenged, and to spread to Kosovo, Croatia, and eventually Albania, Macedonia, and beyond. Failure to act carries grave risks.

I am under no illusion that solutions to the problems in Bosnia are simple. Some problems defy attempts from the outside to solve them, and this may be

a tragedy the United States cannot end, as much as we would like to. But, there are things we can do, and the people of Bosnia have suffered too long. At a minimum, and as an immediate step, we can and should end the unjust arms embargo against Bosnia.

Mr. President, I have been involved and interested in this situation for several years now. I would like to try to put it in some sort of perspective that perhaps all of us can understand where the morality is and where we ought to be.

I was, in August 1992, at a conference in Austria with several European members of Parliament. At that time, I had also just come from visiting Croatia, and had been to the front and visited with refugees that had streamed out, with those that had been victims, and with those that had witnessed the terrible situation with respect to the raping of women, and the deaths of many males which had occurred as a result of the Serb intrusion into the villages and homes of the Bosnian Moslems and Croats.

When I was at that conference, the Chancellor of Austria was present. And I asked the Chancellor—I said, "Why is it not imperative, and certainly rational, for the European Community to step in and stop the fighting in some way?" He looked at me and he said, "Well, we cannot get involved because they are both our friends."

I started to think about that at that conference. It seemed to me that the time you really want to get involved between two of your friends who are fighting is when one of your friends is there handcuffed to a post and the other friend is there beating him with a lead pipe. It seems even more imperative that you ought to get involved and stop the fighting, especially when you consider that the size of those that are standing around watching the fight are more than capable of walking in and resolving the situation. That seems to me the situation we have right now.

Also, at that conference I asked a question of the group there. Well, would it not be right under this situation, if you are not ready to go in and separate your friends from fighting, that perhaps at least you ought to take the handcuffs off the individual that is at the post and perhaps give that individual a weapon or the weapons necessary to be on equal terms with his opponent? No, they said. The answer to that is, well, more people might get hurt that way—with the conclusion, therefore, that it would be better to allow your friend to be beaten to death than to come in and try to separate them because somebody might get hurt.

Take a look at the U.N. situation. There is a way you can look at it and, I think, using that same scenario, understand what has happened there. First of all, in the two opponents, the Serbs and the Bosnian Serbs on the one hand against the Moslems, Bosnian Moslems and Croats on the other, we

have a situation where one side is heavily armed and the other is not. The Bosnian Serbs inherited the arms which came from Yugoslavia—howitzers, the tanks, and the airplanes—whereas those weapons are not available to the other side. That is the situation we have now.

It seems to me that again those forces that are standing outside, that have the ability to come in and settle it, are faced with a couple of options, again very similar to the scenario I laid out, and that is we can walk in with force, and we can do it. But then that may put some of our people and others in harm's way.

The other thing we could do is to say, all right, we are going to level the fighting field. In fact, we will not only do that, but if we arm the Bosnians, their forces outnumber the Serb forces. Well, if I am standing there as a Serb force and recognize that, whereas I now have the upper hand because of the weapons I possess, if the United States suddenly enters and changes its policy and says, OK, that is enough, we are now going to arm the other side so they have the same kind of arms you do, all of a sudden I am not in a position of superiority but instead in a position of inferiority.

So that is why I support this amendment, because what we will be doing is aiming a huge weapon at the Serbs instead of their pointing weapons in the other direction, and that leverage alone, in my mind, will bring the Serbs to the conclusion that they have to come to heel and to reach some political accommodation.

The other way, which is represented by our current policy, is to come in and say we will hold a shield up and prevent one side from beating the other. And then, of course, when that got troublesome and we began to get hurt, we let the shield down, and the beating began again with impunity. If we just go in there now and try to strengthen those forces but we still do not raise the shield to protect, we are not going to make any headway at all.

I am a strong believer that if you get involved in these things and you have overwhelming force, the best way to resolve the situation is to make sure that force is available and ready, whether it is the United Nations or ours. Alternatively, as this amendment would provide, we can say, if you do not come in and work out a peace here, we will arm the other side so they have the superiority.

Continuation of this policy which relies on an ineffectual peace force and hamstringing real efforts to assist the war's victim is a very destructive policy with respect to the United Nations. This event could well make the difference as to whether the United Nations is going to be an effective body to prevent war in the future or not. We are at that point where we have to do what is necessary to ensure that we can preserve the ability of the United Nations to make a difference, and,

hopefully, we will have the courage to do that.

So I again reflect back upon a year and a half ago or so or 3 years ago now when we were starting to take a look at this, and I have come to the same conclusion again that I came to then, that if we do not as a United Nations intervene in a responsible way, we will cause the United Nations to become an ineffective and unusable organization with respect to this kind of conflict.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Last night when this debate opened, I said I find this a very difficult vote to cast. Hearing the debate this morning, I find some of my colleagues' arguments to be very compelling. Senator LIEBERMAN and others have given us an excellent, eloquent account, for example, of the horror the Bosnian civilians are suffering—of the dreadful behavior of the Serbian forces who are outgunning the Bosnians.

The invasion of two safe areas, areas that the international community said it would protect, outrages us, as it should. We all want to do something to respond to the atrocious Serb behavior in Bosnia. Indeed, the United States and our allies are working hard on a united response.

Lifting the arms embargo certainly seems, at first glance, to offer a cost-free solution to the fall of the safe areas. I, too, am torn. I am still not convinced, though, that we will make things better by passing this legislation. Indeed, we could make things worse, at great risk not only to the besieged in Bosnia but to the United States and to our European allies.

It is time for our President, along with our U.N. and NATO allies, to consider how we will respond to the dreadful, egregious Serbian behavior and, indeed, to consider the very future of the United Nations in Bosnia. The United States and our allies know that if the United Nations were to pull out altogether, many areas of Bosnia, now stable and well supplied due to the U.N. presence, would face humanitarian disaster. This is particularly true in central Bosnia.

The President and our NATO allies must balance that potential catastrophe against the current tragedy which has led many to call for a complete U.N. withdrawal.

We should be honest about what we are debating. This bill, if passed, will actually trigger the U.N. withdrawal from Bosnia. I remind my colleagues that the United States has committed to helping our allies to withdraw from Bosnia as part of the NATO effort, so in essence by passing this bill we are precipitating the commitment of up to 25,000 U.S. troops to Bosnia to help with the withdrawal.

I do believe that if and when a decision is made to withdraw UNPROFOR, the arms embargo will de facto be lifted. And that is just as it should be. We

are not at that point yet, though. The troop-contributing countries have not made a decision to withdraw. The U.N. Security Council has not made a decision to withdraw UNPROFOR. The Bosnian Government has not asked UNPROFOR to withdraw. Yet, by passing this bill, the United States Senate would very likely trigger a U.N. withdrawal from Bosnia.

If we pass this bill today, it will inevitably be perceived as the beginning of a U.S. decision to go it alone in Bosnia. It is naive to think we can unilaterally lift the arms embargo and walk away. Instead, we would have to assume responsibilities for Bosnia not only in terms of our moral obligation but in practical terms as well.

Lifting the embargo without international support would increase the American responsibility for the outcome of the conflict. Delivering weapons to Bosnia would likely require sending in United States personnel. Granted, this legislation states that nothing should be construed as authorizing the deployment of U.S. forces to Bosnia and Herzegovina for any purpose. But I want to emphasize that this would be the U.S. decision to dismantle the embargo. I do not see how we can lift the embargo on our own without sending in the personnel and without providing the wherewithal to carry out the new policy.

Another serious concern on this legislation is that it says that the lifting of the embargo shall occur after UNPROFOR personnel have withdrawn or 12 weeks after the Bosnian government asks U.N. troops to leave, whichever comes first. Basically, what this does is it gives the Bosnian Government, not the United States Government, the power to end the United States participation in a U.N.-imposed embargo.

As I have said, if and when UNPROFOR does leave, it is very likely that the arms embargo would be lifted. While the Bosnian Government does indeed have the right to ask UNPROFOR to leave, we should not give the Bosnian Government the power to trigger the unilateral lifting of the embargo. To give them that right is an abdication of U.S. power. Lifting the embargo unilaterally would increase U.S. responsibility in Bosnia, yet this legislation would allow the Bosnian Government to make the decision to increase our involvement.

Finally, I do not want to see happen to the United Nations at this time what happened many years ago when Abyssinia was about to be overrun by Italy. It appealed to the League of Nations, but the League wrung its hands and did nothing. That was the downfall of the League. We do not want to see the same set of circumstances arise here where Bosnia comes and asks for help, and we wring our hands but do not reply.

I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I rise today to speak to the subject that Senator PELL just addressed. My colleagues are probably tired of my rising and speaking to this subject over the last 3 years. I have been arguing for some time and continue to contend that we need to lift what is, in fact, an illegal as well as immoral arms embargo against the Government of Bosnia-Herzegovina.

Mr. President, observers in the Senate know full well that I am no stranger to this issue. Nearly 3 years ago, on September 30, 1992, I spoke out against the arms embargo on Bosnia after returning from Sarajevo, Tuzla, Belgrade, and various places in Croatia—in short, from having traveled Bosnia, Serbia, and Croatia fairly extensively and observing what was going on. I came back and wrote a report, which I delivered to the President and to the Secretary of State, and spoke on the floor of the Senate and to the Foreign Relations Committee. I recommended a policy that came to be referred to as lift and strike and said that the arms embargo was illegal as well as immoral. After speaking out against the embargo, I introduced the so-called Biden amendment, which was subsequently adopted by the U.S. Senate during the waning months of the Bush Presidency.

The Biden amendment, I would like to remind everyone, is law now. The Biden amendment authorized assistance to Bosnia and Herzegovina through a drawdown of up to \$50 million in Defense Department stocks of military weapons and equipment. As I said, it passed. It became law. It gave the President the discretion when to draw down this weaponry.

But we heard then from many people who are now suggesting we should lift the embargo as well as all those who are against it that this weaponry would be of little value to the Bosnian Government and their army, which then as now was made up of Serbs, Croats, and Moslems. Nearly everyone forgets, incidentally, that when hostilities started only perhaps 60 percent of the Serbs in Bosnia, who made up only a portion of the population of Bosnia, were engaged in or supported this vile ethnic cleansing.

To return to the issue of arms, I was told then—incorrectly—that these Bosnian Moslems, Serbs, and Croats who supported the multiethnic Bosnian Government would not be able to use these weapons. Supposedly they had to be trained by Americans and other Westerners. I reminded people then and I remind people now who will raise the same argument that every young Bosnian Moslem, every young Bosnian Croat, every young Bosnian Serb male was conscripted into the Yugoslav Army, trained in the Yugoslav army, and became fully capable of using the weaponry we would send their way.

Mr. President, less than a week after we passed the Biden amendment, on

October 5, 1992, I made the following statement.

Surely the greatest single step the U.N. could take to increase the impact on sanctions on Serbia is to leave the embargo against Serbia in place while lifting the embargo against Bosnia and Herzegovina—an embargo that, however well intentioned—

I might note parenthetically here, I may have been too generous in that remark—

has had the undeniable effect of freezing the people of that country in a state of utter defenselessness.

That was true on October 5, 1992, and now it is clear to the whole world. Since that time I have spoken regularly here on the floor of the Senate and elsewhere against the arms embargo on Bosnia, which flies in the face of article 51 of the U.N. Charter, an article that gives every member state the right to self-defense.

While we have prevented heavy weapons from reaching the victims of aggression, we have not prevented the shells from heavy weapons in the hands of the Bosnian Serb aggressors from reaching the victims of aggression. The Bosnian Serb aggressors have been lavishly supplied with tanks, artillery, planes, and even troops by Serbian strongman Milosevic.

Mr. President, I mentioned my long record of public opposition to this illegal and totally immoral embargo only to remind my colleagues, first, that the embargo has been strangling an innocent victim for years. This is not new. It is just increasingly more dire.

Second, that the issue has been before this House for just as long, and each time we have opted not to act decisively, preferring to give diplomacy one more chance. If one more of my colleagues, as much as I respect them, comes up to me on the floor, as several of my Democratic and one of my Republican friends recently have, and says privately, "Joe, why don't we give diplomacy one more chance?" my answer will be, because I do not want to be a party to a delay that I know is going to result, while we are acting diplomatically, in the corralling of young Bosnian women into rape camps, in the siphoning off of young boys and men into death camps, and in the expulsion of old men and old women from their home areas by the repulsive practice whose grotesque euphemism is ethnic cleansing. Not one single time, not once since September 30, 1992, has any delay resulted in anything other than the death, destruction, humiliation, and genocide of the people of Bosnia.

I bring up this history not in the vein of, "I told you so," but to remind everybody how long this has been going on and to caution my colleagues not to listen to the siren song of inaction one more time. You can convince me once, maybe, not to act; twice; maybe three times, but 7, 8, 9, 10 times? I challenge anyone in this body to give me one shred of evidence that any delay in lifting the embargo has in any way—in any way—enhanced the prospect that

fewer women in Bosnia will be raped, that fewer young girls will be raped, that fewer men will be exterminated, and that fewer older people will be expelled from the areas in which their families have lived for centuries. One shred of evidence. I challenge any of my colleagues to come to the floor now or at any time at their convenience and debate that issue with me.

So wait, wait for what?

The third reason I bring up the history on this, is that the President of the United States of America has been and is still authorized to provide \$50 million worth of military assistance to Bosnia. This is authorized without any further congressional action required, to be delivered as soon as we take the step of lifting the embargo.

This step has never been more acutely necessary than it is now, Mr. President. Since the Bosnian Serb aggressors brazenly defied the United Nations, in a sense the entire civilized world, by overrunning the U.N. safe area in Srebrenica last week, we have now had the whole world see what I saw and other folks saw firsthand the last time an enclave was overrun, as people were driven into Tuzla as I stood there.

I was meeting with the aid relief workers, and there was a great commotion. Everyone got up out of the makeshift meeting room we were in because great big, old, white dump trucks were coming into Tuzla filled with men and women, holding their young children over their heads and outside the dump truck. There was an air of relief and celebration, and those of us watching thought this holding up their children was part of the celebration. We were, however, to find out as they unloaded this dump truck filled with human beings that the reason they were holding up their children was because other children had been trampled underfoot and smothered to death on the last trip from ethnically cleansed territory into the safe area of Tuzla.

Then the United Nations and the contact group—Russians, French, British, Germans, Americans—said, "Tell you what we're going to do. Through the United Nations, we're going to lay out certain safe areas," which they listed.

I remind everybody what the deal was in the safe areas. The deal was that if the Bosnian Government—primarily Moslems, but also some Croats and Serbs who supported the Government—if they would give up what few weapons they had left in Gorazde and Zepa and Tuzla and Srebrenica, then we, the United Nations, speaking for the world, would guarantee that we would keep the Huns away from the door. We would guarantee that the ethnic cleansing would stop, and we would negotiate.

So then they gave up their weapons and, as JOHN MCCAIN and I mentioned last week on the floor, all one had to do was hold up any newspaper in America and see—and I am not being critical of the troops that are there person-

ally—blue-helmeted and blue-bereted soldiers sitting on armored personnel carriers, sitting on tanks and sitting in trucks, watching as the Bosnian Serbs went in and, before their very eyes, cleansed, in the same way that the Nazis cleansed when they dropped off folks at the Auschwitz train station in cattle cars. They found an interesting thing as they observed this vile ethnic cleansing. All the young women and all the young girls were sent off in one direction. The men who were fighting were not seen anywhere. The old folks were loaded into trucks with the very young children. And armed military personnel sat there, representing the world—they sat there while the Bosnian Serbs, before the very eyes of all the world, culled out these folks as if they were cattle. Then, we were told that if we lifted the arms embargo, do you know what was going to happen? The Bosnian Serbs might really get mad and overrun the safe areas.

Mr. President, being as calm as I can about this, let me remind everyone that safe areas have already been overrun. I plead with some of my colleagues not to come to the floor and tell me what you have been telling me for 2 years—that if we lift the embargo, the Bosnian Serbs will overrun the safe areas. They have already done it in Srebrenica, and they are going to do it very soon in Zepa; they are in the process of overrunning it right now. I spoke with the Bosnian Foreign Minister, and indirectly through him to the Prime Minister, only 2 hours ago. The world has a perverse notion of how to deal with this. The Bosnian Government forces have taken into their protective custody the U.N. protectors of Zepa because of what is going to happen if they do not. If they do not, the Serbs will take the U.N. troops and threaten to kill them. Unless the people in Zepa throw down what few arms they have been able to find, unless they get into trucks, go to rape camps and go to death camps, the Bosnian Serbs are going to kill some of those U.N. blue helmet peacekeepers.

But how is this being portrayed by the Mr. Akashi of the United Nations? He says that the Bosnian Government is no different from the Bosnian Serbs; they are both holding hostage blue-helmeted U.N. peacekeepers. What the Bosnian Government forces know, however, is that if they do not prevent those blue-helmeted peacekeepers from coming under the control of the Bosnian Serbs, they are dead. Mr. Akashi's fallacious moral equivalency is just another example of the twisted logic, the overwhelming rationalization the United Nations and others will undertake to avoid facing the truth of international inaction.

Genocide. Genocide. Genocide. That is what this is about. Many of these brutalized Moslems, as we have been reading in the paper, as a consequence of having been raped or otherwise tortured, have committed suicide. When is the last time we read about that in this

century? It is not Joe BIDEN's judgment. World news organizations are reporting this now.

These war crimes and crimes against humanity are no longer deeds known only by the specialists. They are there for all the world to see. These unspeakable deeds would be horrific enough if the government of those unfortunate people, the Bosnian Government, had been unwilling to defend them.

But, Mr. President, the story is far worse than that.

The Government of Bosnia has shown for more than 3 years that its young Moslems, young Croats, and young Serbs, are willing to fight against a foe with vastly superior weaponry, and to die defending their homes, their wives, their mothers, and their sisters. And what have we done? We have forbidden them to get the arms necessary to defend themselves. Instead, we have opted for the cruel deception of alleging that the U.N. Protection Force would defend them.

Well, that has been laid to rest, Mr. President, as an outright fabrication.

Mr. President, after the last few days, even the most naive American cannot hear those words—and I repeat—the U.N. Protection Force—without being sickened by its Orwellian name.

Mr. President, we have to put an end to this madness. We have temporized for far too long. The so-called U.N. Protection Force has abdicated its responsibility to the people it had pledged to defend, and the contact group's diplomacy is at a dead end.

I might add that former Secretary of State, Henry Kissinger, is right that this U.N. Protection Force is not to blame; it has been the excuse. Many of those folks in the protection force are brave and decent and, from my personally meeting with them on two occasions in Bosnia—last year in June, and in September 1992—I know that they are repulsed by this, as well. But, Mr. President, their mandate is not to get involved. For that, I blame the West—not the United Nations, but the West.

Mr. President, the least the United States can do is to allow the victims of oppression to defend themselves. We must lift this illegal, immoral arms embargo now. As an original cosponsor of the Dole-Lieberman legislation, and of previous legislation, I strongly urge my colleagues to support S. 21.

Mr. President, I might add that in order to get more votes—and I do not say that critically—Senators DOLE and LIEBERMAN have apparently already decided to amend the legislation to allow the President the right to postpone lifting the embargo for 30 days at a crack if he believes that the safe and secure completion of the U.N. personnel would otherwise be endangered. I understand the intention of this waiver. But I respectfully suggest, Mr. President, that this waiver will only invite the rabid minority of Bosnian Serbs led by Karadzic and General Mladic and his genocidal troops to go

after the U.N. forces as they withdraw, or American forces if they are moved in to help them withdraw.

In conclusion, Mr. President, I say that we have made a botch of our policy in the former Yugoslavia in two successive administrations. President Bush started this awful policy off. He handed it off to President Clinton, and, unfortunately, in my view, this administration has not reacted because of the need to find NATO unity. But there is no unity on this, Mr. President. We should get on the right side of history. We should get on the side that makes the most sense. We should get on the side of morality.

I might add, Mr. President, that there is no need for any American forces in order to lift the embargo. The Moslems have a right to be able to defend themselves. I will end with a quote from the Prime Minister of Bosnia, who, 2 years ago, was Foreign Minister. I have said this to my colleagues before, but I want to remind them, and maybe even awaken their consciences a little bit.

I held a meeting in my conference room and invited about a dozen Senators of both parties. The then Foreign Minister, now Prime Minister Haris Silajdzic—all of you have met him by now, I suspect—was there. When I made the case for lifting the arms embargo and using air power to protect peacekeepers and others while they moved, one of my colleagues said, "I do not want to do that because more death will result. If the U.N. force leaves, more of your people will die."

This Senator was very sincere, because that was the wisdom of the moment. Silajdzic looked at this Senator, for whom I have a great deal of respect, and said, "Senator, please, do me a favor. Allow me the dignity to choose how I will die. Senator, all the UNPROFOR does for us now is to fatten up my wife, my children, my countrymen, and me to be killed incrementally over the winter and the next spring and the summer. I would rather not have the food and have a weapon. Let me choose how I am going to die. For certain, I will die."

Mr. President, that was not a comment of a man engaging in hyperbole. It is a man who puts his life on the line every day. His predecessor said the same thing.

Please, when this legislation comes up, please, we should get on the right side of history and morality and lift the arms embargo that is putting the Bosnian Government in a position where they cannot defend themselves. I yield the floor.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, what is the pending matter before the Senate?

The PRESIDING OFFICER. The pending business is the Dole amendment to S. 21.

Mr. EXON. I thank the Chair.

Mr. President, the United States is caught in a dilemma. For the past 3

years we have been working with our allies to bring the warring factions in what was formerly Yugoslavia to a peace settlement and end the pervasive brutality against innocent men, women, and children.

As we have pursued this diplomatic track, the United States has refused to become involved militarily on the ground to halt the aggression against civilian populations or punish the root sources of the aggression, the Bosnian Serbs against the Bosnian Moslems.

The fact is that there is no political will in America for a level of involvement that may result in Americans dying in Bosnia. It is, as many proponents of the legislation are fond of saying, a European problem.

American national security interests are not at stake, it is said. Let the Europeans get their own house in order.

On its face, Mr. President, that sounds reasonable enough. It is also, as it has most unfortunately turned out, a convenient exercise in face saving for us. It has not worked, obviously. Clearly, the efforts thus far have not stopped the fighting and the killing. There is no peace settlement. The U.N. peacekeepers have been ineffective shields against Serb forces who regard human flesh as fodder and ravenous eyes cast on innocent people, penned in like sheep waiting to be slaughtered.

As a nation, we are outraged at the dark turn of events. The chorus cries louder and more demanding. Something must be done. The United States must lead. The United States recognizes the problem, but the efforts of the Europeans have failed.

There has emerged a political scapegoat theory by some Republicans and some Democrats alike. It is called "Clinton bashing." Blame the President and his leadership, even though I suggest that George Washington could not have led such a collection of wet noodles.

Here lies our dilemma. Our moral outrage has led to an overwhelming desire to do something—anything—to halt Serb aggression. But there is an important restriction on any action that we take: no American can be put at risk. In what is the messiest, most intractable crisis the world has known in this decade, we want a neat, anti-septic solution.

I think it is time for a little realism. I do not think it is going to happen, but we should try. The die is cast. Many of my closest colleagues in the Senate do not see this as I do. They may be correct. I think not.

The bill before the Senate now is not a solution, and it does not fill the leadership vacuum with respect to Bosnia that so many lament. It says let us lift the embargo and let the chips fall where they may. At least we will feel better about ourselves knowing that we have removed an impediment against the Bosnian forces trying to defend themselves, and it keeps our hands clean.

I have heard a lot about "heavy lifting" in the Senate over the years.

While we have been talking about S. 21, it is often referred to as lifting. It should not be confused with the substance or the wisdom of S. 21. S. 21 is foreign policy light. It represents an approach that starts a course of events in motion without being honest enough to admit the resulting likely consequences. S. 21 is like a mischievous boy who lights the end of a firecracker and then runs a safe distance out of harm's way.

Mr. President, I say those nations that have displayed the courage and put their soldiers in Bosnia should not be undercut. Our allies, the British, the French, the Dutch, and others are on the ground in Bosnia. We are by our own wishes not. They have lost dozens of their troops to snipers, to mortars, to mines, in an attempt to keep the forces of slaughter at bay. We have not.

The question each of us should consider before we vote for S. 21 is whether it is right to force a decision on our own allies when we enjoy the luxury of not being involved, when our forces are not at risk.

I am not a supporter of the embargo against Bosnia, and I do not believe that the U.N. peacekeepers are effectively protecting the supposedly civilian safe areas. However, let the Bosnians go to the United Nations and ask that the peacekeepers leave. To date, they have not. Or if the situation on the ground in Bosnia becomes untenable, let the nations with troops in Bosnia make the decision that it is best for them to leave. After all, they are risking their lives to protect innocent Bosnians. That should count for something when it comes to the question of who decides that the forces should be withdrawn.

The decision should be made without having the Senate lighting a firecracker under the seat and then running away.

Perhaps the most important part of S. 21 is what it does not say. It does not say what damage will result to NATO if the United States decides to break with our allies on the question of the embargo.

It does not say that a United States decision to unilaterally lift the embargo will endanger compliance with existing embargoes against Serbia, Iraq, Libya, or with economic sanctions against rogue nations in the future.

It does not say that passage of the bill will precipitate the removal of peacekeeping forces which in turn will involve American forces for the possible purpose of extraction.

It does not face up to this consequence and authorize the President to use military forces to safely remove our allies from Bosnia. They are silent on that, evidently by design.

It does not recognize the safe areas may be protected in western Bosnia despite Serb actions in the east and the withdrawal of peacekeepers there.

It does not mention how many more civilians will die when the Serbs step up their attacks before the arms reach

the Bosnian Moslem forces under the theory of lifting the embargo.

It does not explain that an infusion of arms from Serbian and Slavic allies will flow freely to counter the arms embargo against Bosnia, likely resulting in heavier fighting and more killing.

It does not talk about who will arm and train the Bosnians and how much it will cost. Do we bear a significant portion of that? How much? It is not surprising that S. 21 is silent on these questions. It not only has the United States light the firecracker underneath our allies and then run off, it has us look the other way conveniently as well. We do not want to know the consequences of our actions or deal with the details. We want a shot of cortisone to allay our guilt complex in the pretense of leadership. Cortisone is not a cure for cancer.

The well-meaning S. 21, in my opinion, will make a bad situation worse. If the authors of the bill feel its passage is necessary due to the lack of coherent, effective policy in Bosnia, they have failed to step up with an approach that will end the fighting. S. 21, in my opinion, is very likely to inflame the fighting to new heights resulting in the deaths and the horrible situation for refugees and the atrocities that are so rampant in that area.

Mr. President, it is a scapegoat approach. It is cleaner and neater and more antiseptic for the United States to unilaterally lift the arms embargo and thumb our noses at our allies. Such an action is counterproductive and obviously endangers an alliance that has furthered the cause of peace on the continent for 50 years. When it comes to the crisis in Bosnia, we are not participants in the solution. We are removed observers who cannot accept that the situation has turned sour. I am reminded of a quotation that, "For every complex problem there is a solution that is both simple and wrong." S. 21 in its present form, in the opinion of this Senator, is such a solution.

Mr. President, I thank the chair. And I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Minnesota is recognized.

Mr. GRAMS. Mr. President, I rise in strong support of S. 21, the Bosnian Self-Defense Act. I want to commend the majority leader for his strong and principled leadership in responding to the escalating crisis in Bosnia. His decisive move to bring this legislation to a vote may prove to be a turning point for U.S. policy in the Balkans. I, like many of my colleagues on both sides of the aisle, have had grave reservations about our Bosnian policy for several years, and even the hearings by the Senate Foreign Relations Committee have done little, if anything, to alleviate my concerns. Frankly, I am amazed at this administration's refusal to recognize numerous foreboding signs for the U.N. mission in Bosnia.

On May 8, the General Accounting Office released a report on the so-called peace operations in Bosnia. In that report GAO states that "UNPROFOR has been ineffective in carrying out mandates leading to lasting peace in the former Yugoslavia." Moreover, it continues, "UNPROFOR's limited effectiveness to deter attacks and provide protection stems from an approach to peacekeeping that is dependent on the constant cooperation of the warring parties." And finally, GAO concludes, "UNPROFOR [has] lost credibility as a peacekeeping force * * *"

I point out this report was released before the Bosnian Serbs took hundreds of U.N. peacekeepers hostage, before the Serbs shot down an American pilot on a NATO operation and before the Serbs began storming so-called U.N. safe areas.

Mr. President, the GAO's report foreshadowed what many in Congress have now concluded, that is, the U.N. operation in Bosnia has failed and is moving toward a state of complete collapse. UNPROFOR cannot even meet the most minimal of its mandates. The U.N. force can no longer protect itself, let alone civilians in safe areas. Moreover, the ongoing offensive by Bosnian Serb forces against U.N.-declared safe areas has underscored the folly of the arms embargo. Imposed before Bosnia even officially existed, the embargo has consistently denied the Bosnians the right to defend themselves. There is not one Member of Congress, not one member of the State Department, and not one member of the Clinton administration who would deny that the arms embargo has allowed the Bosnian Serbs to preserve a powerful military advantage.

With the help of the arms embargo, the 80,000-man Bosnian Serb militia has dominated 70 percent of Bosnia through its near monopoly of heavy weapons. Even with 200,000 soldiers, the Bosnian Government simply cannot compete. The occupation of U.N. safe areas by Bosnian Serbs is the beginning of the end for the U.N. mission. It is another gruesome admission of how the arms embargo continues to condemn the Bosnian people to a slow death. In Srebrenica, Bosnian troops actually outnumbered the attacking Serbs, but the Serb forces had far more firepower. Bosnian forces had no tanks or artillery with which to defend themselves, and once again the United Nations waited too long to call in NATO, too late for airstrikes to make a difference.

Now, the opponents of lifting the arms embargo have repeatedly said they fear the Serbs would make a grab for the "safe areas" in eastern Bosnia. But the Serbs have not waited, even with the embargo in place and UNPROFOR on the ground. The United Nations, with American assistance, is perpetuating a cruel hoax on the Bosnian people. We force them to fight without adequate defenses, promise to protect them from hostile Serb troops,

and then let them fend for themselves when they are attacked.

So far the American taxpayers have provided \$2.5 billion to support the U.N. operations in Bosnia and they continue to support UNPROFOR to the tune of \$500 million a year. Added to this sum is the administration's new pledge to provide another \$95 million in cash and military equipment to the European rapid reaction force. Now, this latest action was taken in spite of strong congressional opposition, and it only threatens to deepen United States involvement in the Bosnian quagmire. Unfortunately, the Clinton administration seems determined to sink or swim with the status quo policy in Bosnia. If the President continues to stay the course, he will be in danger of dragging down the Bosnian people, along with American and NATO credibility.

Supporters of lifting the arms embargo in Bosnia are often accused of being naive and unrealistic. I am neither. Ending the embargo is far from a perfect solution. There are many logistical questions that remain to be worked out. But given the events of the last few months, let alone the last few weeks in Bosnia, I see no other option in a civil war with no end in sight and with no peace agreement within reach.

It is those who support the current Bosnian policy who have lost touch with reality. The U.N. peacekeeping mission cannot sustain itself in a country where there is no peace to keep. The United Nations has never been equipped to enforce peace on factions that are still spoiling for war. It is time for the administration to stop acting as if some miracle will occur to save the day.

Just last month the House of Representatives approached an end to the arms embargo with a bipartisan and veto-proof vote of 318 to 99. I urge my colleagues to follow that example and also send a strong message of our own to the President by voting for S. 21. I believe it is the least we can do for the Bosnians and the very least that the American people can expect.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I appear once again, briefly, to support the majority leader and my distinguished friend and colleague from Connecticut, in the proposal which they have before the Senate to terminate the arms embargo against Bosnia.

Other than to add my voice to that cause, I can add nothing to the eloquence of what they have already said. What began as a policy of convenience and a seeking for time and a diplomatic solution on the occasion of the

breakup of Yugoslavia, has not only proven to be a policy failure, a significant contributor to the loss of thousands of lives, and war crimes unmatched in Europe since the era of the Nazis, it has degenerated into a moral swamp, in which the actions of the United States and the United Nations contribute only to the success of the aggressors, to the success of those who have proposed this barbaric system, based on the religious background of the people of Bosnia.

We are fond of saying, as a number of newspapers have, that the time has come to end that arms embargo.

In truth, Mr. President, the time came long since. The distinguished Senator from Delaware, [Mr. BIDEN] in his remarks an hour or so ago, referred to statements that he made in the fall of 1992 which were valid then and are valid today.

The particular occasion for the debate over this resolution today, of course, is the latest set of atrocities on the part of the Bosnian Serbs, the destruction of what we had long trumpeted as a safe haven, the rape of some, the murder of others, the driving out of most of the citizens that were supposedly protected in that safe haven.

Mr. President, I think the failure of our policies and our proclamations cannot better be summarized than it was indirectly in two paragraphs in a story from last Friday's Washington Post about those citizens driven out of Srebrenica to a temporarily safe haven elsewhere. I want to quote those two paragraphs from that news story.

"This is Major's work," yelled a man on crutches, referring to British Prime Minister John Major. "It is Clinton's work, too. Clinton—always talking so nice and doing nothing."

"They had better take a gun and kill us all," one woman said. And waving her arms towards the masses of dazed people who made up the weeping, nearly hysterical crowd, she added: "Look at what you did for us, all you governments."

That is a tiny portion of the human price we have paid for this arms embargo, for all of the threats not backed up, for all of the promises that got broken, for all of the lives lost. And have we done this in order to protect the lives of Americans? No, Mr. President. Just recently we had one of our Air Force pilots shot down over Bosnia—rescued by a magnificent feat of arms, and celebrated here in this country for his escape, but those who shot him down remain totally unpunished.

Can it not be said that perhaps that last, most recent demonstration of our lack of dedication led to the overrunning of the safe haven, the loss of hundreds, perhaps thousands of lives, and the driving out of tens of thousands of others? We have made ourselves contemptible. We have made ourselves a laughingstock. And it is time to end that policy now.

Will we save more American lives? No. The President has promised that when the war is irretrievably lost, and

when the U.N. forces want to come out, we will send troops in to save them—undoubtedly at the expense of casualties. Mr. President, that is a wrong policy as well. The correct policy is to end the arms embargo, to allow, to encourage, to assist in the arming of people desperately anxious to fight for their own freedom and probably capable successfully of fighting for that freedom if they are armed with weapons anywhere near equal to those of their aggressors. That was the correct strategy during the Presidency of George Bush. It has been the correct policy for the 2½ years, at least, of the Presidency of Bill Clinton.

Mr. President, the policies in which we have engaged have undercut, if they have not destroyed completely, our own credibility—not just in the Balkans, but all over the world. They have not only failed to succeed in ending or limiting the war, they have encouraged it. They have not discouraged aggression, they have encouraged it. They have not limited ethnic cleansing, they have increased it. And it is time to end those failed policies. It is time, at the very least, to allow the victims to fight for their own liberties.

It is also time—not at all incidentally, Mr. President, in my view—to end the arms embargo against Croatia and Slovenia as well. Slovenia is not in the news yet. It had succeeded in winning its independence and has been at peace ever since. It threatens no one. There is no reason in the world not to lift the embargo against it. Croatia is 25 percent occupied by a dissident government which is engaged in some, though not all, of the same practices of their compatriots, the Bosnian Serbs.

The only way there is any possibility in this case of proving that aggression and ethnic cleansing and rape and murder do not pay is to allow the victims of those crimes to be able to liberate themselves from those crimes.

So I believe the two principal sponsors of this resolution, the majority leader and the distinguished Senator from Connecticut, who are now on the floor, are proposing exactly what the United States ought to do and I wish to express the hope that the Senate will promptly and overwhelmingly vote in favor of their resolution.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I would like to say a few words about the Bosnia and Herzegovina Self-Defense Act of 1995.

Mr. President, I rise to support S. 21, the bill to terminate the illegal and immoral arms embargo on the Government of Bosnia and Herzegovina. It is

time we abandoned this morally and politically bankrupt policy. It is long past time that we permitted the victims of ethnic genocide to defend themselves; it is time we stand for a policy that may not guarantee an easy outcome, but that will put the United States on the side of principle.

That principle is the right to self-defense against conquest by aggression, the right to self-defense against ethnic genocide.

The time has come to declare our intentions to aid the victims in the bloodiest war to wreak mayhem in Europe since World War II. For too long the international community has been hamstrung by diplomatic inertia; for too long have sympathetic nations of the world been frustrated by U.N. and European reluctance to act; for too long have we watched United States policy flit about while Bosnia has suffered attacks against civilians, mass deportations, rape, and ethnic genocide. Washington dithers while Sarajevo burns.

We cannot allow the Serbs to continue with their aggression by continuing to tie the hands of those who wish to defend themselves. The arms embargo has played into the hands of these aggressors; it has failed to make the moral distinction between the victims and the architects of genocide.

The fall of Srebrenica demonstrates the collapse of the multinational mission and the hollowness of U.S. support for it. I believe it is past time for the Clinton administration to abandon this failed policy, rather than continue to make pathetic attempts to rationalize or perpetuate it.

Some have noted that the arms embargo is a carryover of the Bush administration policy on Bosnia. This is true, Mr. President, and I urged President Bush to lift it then. The situation has grossly worsened in the 2½ years since he left office, and it is now President Clinton's responsibility to deal with this international horror.

Last month, Bosnia's Prime Minister made another visit to Washington. To meet with him was to meet with a man fighting for the very existence of his country. I saw him after he went to the White House to meet with Vice President GORE. The Vice President used to be a supporter of lifting the embargo when he was a member of this body. At the White House, he told Prime Minister Silajdzic that the administration would continue to oppose a lift, because a lift would incite the Serbs to attack the safe havens.

The administration had it exactly wrong. The fall of Srebrenica last week demonstrates the collapse of the multinational mission and, with its failure, the failure of U.S. policy supporting it. Now, if anything good can come out of these horrors, it must be that this body will vote to lift the embargo now.

Over the past week we have all been horrified by the pictures and stories coming from Srebrenica, Zepa, and Sarajevo. There is no reason to repeat the

horror here, nor is there any excuse to act as if these latest outrages against humanity have been of any surprise. I can only lament that it did not have to come to this.

Many of us who have followed this war have concluded long ago that Serbia and its proxies would not cease in its pursuit of a Greater Serbia. After we saw that the Serbs would use the horror of ethnic genocide as an instrument of war, we could not be surprised about the developments we saw over the past 2½ years.

We could not be surprised when the Serbs continued to attack the civilian population of the so-called safe havens.

We could not be surprised when the Serbs starved Bihac.

We could not be surprised that pinprick airstrikes emboldened the Serbs.

We could not be surprised when the Serbs took U.N. hostages last month.

And, finally, we could not be surprised when it was revealed that U.N. Special Envoy Akashi had recently sent a secret letter to the Bosnian Serbs assuring them that the United Nations would not seek confrontation with them.

And no one, Mr. President, should have been surprised to learn that Belgrade continues to supply and assist its Serbian proxies in Bosnia and Croatia.

We were dismayed, yes. Outraged, yes. But no one who has been watching this war could be surprised.

No one, perhaps, except the policymakers at the White House and State Department. From the constantly shifting statements of the administration, however, it appears that every development has caught them off guard. Their only constancy has been their insistence on refusing the Bosnians the right to defend themselves. This has become incomprehensible.

Today's U.S. policy lies in tatters. It is the product of a misplaced belief in multilateralism. An exaggerated estimate of a ruthless but third-rate foe. A solipsistic faith in the selfless intent of dictators. And an immature and myopic view of geopolitics.

This administration supported the U.N. missions in Bosnia and Croatia. Many of these peacekeepers bravely put their lives on the line feeding the captives in the safe havens. But they never had a peace to keep; they disarmed the victims and aggressors alike, but when the aggressors challenged them by violating Security Council resolution after resolution, the United Nations feared calling in NATO air support.

When the planes came, as rarely they did, they delivered pinprick strikes, destroying a tent here, a truck there. The Serbs laughed and became emboldened. The United Nations became more reluctant to engage. The Security Council resolutions enacted in New York City became worthless documents in Sarajevo, Tuzla, Gorazde, and the other towns of Bosnia.

The United Nations, without a peace to keep, kept the borders set by the ag-

gressors; and if the peacekeepers dared challenge the Serbs, they were taken as hostages.

Multilateralism failed because multilateralism was incapable of acting on the distinction between victim and aggressor. As a result, multilateralism engendered a policy of deference to the aggressor and indifference to victims.

The longer this dynamic went unchallenged, the larger the myth of Serb power grew. Despite the stories of a supine Serbian economy, despite the reports of thousands of military-age men fleeing Serbia, despite the reprehensible and cowardly behavior of any army that could only terrorize unarmed civilian populations, policymakers around the world, including many in our State Department, began to accept the notion of the formidable foe.

They confused the ability to commit unspeakable acts with the ability to sustain a popularly supported war. Even today, so many analysts do not include military assessments of the capabilities of the combatants. But when they do take a hard look at Serbian and Bosnian capabilities, they seem to reach the same conclusion: The Bosnians have the advantage in men and morale; the Serbs, heirs of the Yugoslav Army, have the advantage in heavy weapons. And from these assessments we must conclude again: If we seek to achieve a shift in this war, we must lift the embargo; we must provide the Bosnians with the weapons they need.

Further emboldening the Serbs was the administration's attempts at diplomacy. Taking its diplomatic cue last spring from Russian Foreign Minister Kosyrev—an ally of the Serbs—the administration believed that it could persuade Serbia's Milosevic to pressure Radovan Karadzic to a negotiated peace.

This is one of the most self-deluding diplomatic strategies in modern times, and the administration feigned belief—or maybe, incredibly, actually believed—that Milosevic could be a broker for peace. Representatives of the administration actually stated that Milosevic and Karadzic were competing, and had differing interests. Instead of lifting the arms embargo on the embattled Bosnians, the administration offered to lift the economic embargo on Serbia, which, most analysts agreed, was actually having an effect on Serbia's ability to wage war.

This notion that Milosevic would curb Karadzic was, of course, ridiculous, but the administration persisted. They offered lifting the sanctions if Milosevic recognized Bosnia and Croatia. When he refused, the administration lowered its demands and asked Milosevic to recognize just Bosnia—a move that could have threatened, at that time, to shatter the federation between Bosnia and Croatia, which the administration had claimed was its single greatest accomplishment in this

crisis. Milosevic, no fool, knew that he could gain more and refused.

Meanwhile, the evidence kept coming that Milosevic continued to provide armaments to his proxies in Bosnia and Croatia. No one could really be surprised, but many of our allies, and this Administration, looked the other way.

And then Scott O'Grady was shot down by a SAM missile—a NATO jet on a mission to enforce U.N. Security Council resolutions was downed by the Bosnian Serbs. And NATO did not retaliate. History's most successful military alliance—the world's most impressive military force—did not retaliate when a third-rate army that specializes in torturing civilian populations shot down one of its planes. And we did not retaliate when the evidence was revealed that Belgrade had a hand in this, and that Milosevic's army provided parts maintenance, computer and radar support for the SAM system that shot down our F-16.

Mr. President, how much evidence do we need that Milosevic and Karadzic work hand-in-hand? How much more humiliation should we take before we recognize that our diplomacy is based on fatuous delusions?

One of my greatest concerns throughout this conflict has been the administration's inability to see this crisis in the greater context of Europe. Specifically, it has refused to recognize the role that Russia has played in supporting the Serbs, in frustrating any resolution that would be fair to the Bosnians, and in undermining the Western alliance. I am disturbed that very few appear to be focusing on Russia's role in this crisis.

One of Russia's primary foreign policy goals has been to obstruct the expansion of NATO. Last month, when the Russians finally decided to sign on to the President's Partnership for Peace Program, Foreign Minister Kozyrev stated that NATO must "cease to be a military bloc" and must abandon policies of enlargement. Last week, Yuri Baturin, national security adviser to Boris Yeltsin, said that the war in Bosnia is a test of strength between Russia and the West. President Clinton has repeatedly declared that Russia will not exercise a veto over NATO expansion. But I must wonder, Mr. President, when the SAM missile of a Russian ally shoots down a NATO jet over Europe, could not this be construed as a veto over NATO?

I believe that if Russia wants to try its strength against the West by backing the forces of ethnic genocide and by using diplomacy to prevent a just settlement in Bosnia and obstruct NATO enlargement, then we should, again, engage in the challenge. We must lift the embargo and arm the Bosnians. We will be, again and finally, on the side of the morally defensible.

The conflagration in the Balkans, the West's confusion, and America's lack of leadership are casting a pall over the prospect of a NATO enlargement.

NATO is not credible when it inflicts pinprick strikes instead of effective

bombing sorties. NATO is not credible when the Serbs can check it by taking hostages.

NATO cannot be credible if its stands idly by when its planes are downed by a third-rate power.

Mr. President, it is time to abandon this failed policy.

While the Clinton administration has wrung its hands, vacillated, and deferred to inconsistent allies, many Members in this body, led by the distinguished majority leader, have declared for some time that the only sensible policy after years of inept and immoral policies is to lift the arms embargo. To demonstrate how important this issue was, Senators DOLE and LIEBERMAN introduced S. 21 on the first day of this historic Congress.

The Bosnians are willing to fight for the right to exist as a peaceful and democratic nation that respects ethnic rights. They have not asked us to defend them, they only ask that we allow them to defend themselves. "We don't need you to die for us," Prime Minister Silajdzic said here on his last visit, barely two weeks after his Foreign Minister was blown out of the sky over Bihac by Serb rockets. "We know very well how to do this ourselves."

But it seems that some outside observers are in a state of weariness brought on by years of inaction against a war of brutal slaughter. We want it to stop; we want the suffering to cease. But we must not confuse our righteous repugnance for human suffering with the Bosnian government's heroic commitment to defend itself.

The Bosnians have a right to defend themselves. Article 51 of the U.N. Charter clearly articulates a nation's right to defend itself from hostile aggression. The majority of the nations of the United Nations have agreed.

Lifting the embargo will lead to the removal of U.N. peacekeepers. These troops have not kept the peace. They have been hostage bait. And, while they have sometimes fought bravely in recent months, their presence over the years has, in too many cases, legitimized Serbian gains. For the United Nations to stay would mean the symbolic defeat of peacekeeping. For the United Nations to leave would indicate that we are ready to return to reality.

I believe that the U.S. should assist in the withdrawal of the UNPROFOR troops. I say so reluctantly, because I do not believe this war requires a role for U.S. ground troops. But I will support the President if he chooses to assist our allies in the withdrawal, provided that the conditions the majority leader has laid out are strictly observed:

First, a withdrawal must occur under NATO or U.S. command. There must be no U.N. role in the command structure.

Second, the rules of engagement must be clear to any potential antagonists: Any attack on U.S. troops will be met with massive and disproportionate retaliatory attacks. If the Serbs take one shot at a United States soldier or a

blue helmet that we are escorting out, the United States will retaliate anywhere in Bosnia or Serbia proper.

And finally, U.S. troops are not there to extract equipment. Any military materiel that could fall into Serb hands must be destroyed, if possible, but we will not engage troops for anything but the rescue of personnel.

S. 21 will put into motion a policy that will not bring us peace, but it will allow for the possibility of a real peace. By lifting the arms embargo on beleaguered Bosnia, this bill will allow for the only kind of peace that has worked through history: a peace gained by a balance of power on the ground.

But this will not be a peace guaranteed or easily achieved. We cannot realistically or responsibly let the issue stop here. We know that the chances of increasing the hostilities are great, although a strong signal from the United States in defense of Bosnia will certainly convey a level of seriousness to the Serbs that they have not yet seen, and we should not rule out the possibility that they may respond to this signal with the realization that the terms of the conflict are about to get much worse for them. However, since the Serbs have demonstrated a reckless intent to conquer by genocide, we should not delude ourselves with hopes of an easy settlement.

For this reason, I believe we must concomitantly begin the debate about military assistance to Bosnia. We should declare our support for Bosnia through a program of immediate provisions of military aid and continued humanitarian assistance. In addition, I believe we must also lift the embargo against Croatia, which has also been a victim of Serbian aggression, and without which we cannot effect a successful program to assist the Bosnians.

Mr. President, I also believe that we must consider the use of air strikes—during the extraction of UNPROFOR and while we arm the Bosnians. In addition to providing the necessary support for the Bosnian government, these air strikes can demonstrate—for the future reference of those who have witnessed NATO's hapless performance to date—that the West is capable of using its military might effectively.

I have always stated that our policy in Bosnia should not require the commitment of United States ground troops. U.S. troops should not be involved in any mission but the support for an UNPROFOR extraction. It has been but one of the many straw men put out by this Administration that lifting the arms embargo would require the commitment of U.S. troops. The administration is either cynically manipulating a legitimate concern of the American people in order to rationalize a failed foreign policy, or it is truly naive in assessing the military and geopolitical realities of the Balkan conflict.

Mr. President, I wish to state very clearly that my objection to our current foreign policy is not partisan. As

you have seen, some of the most articulate in this body in favor of lifting the embargo are Democrats. As I stated earlier, I strongly criticized President Bush's support for the arms embargo. As a matter of fact, I was encouraged when Governor Clinton, during his presidential campaign, advocated lifting the embargo. I am, of course, disappointed that now President Clinton has appeared so irresolute.

I believe the Bosnian crisis may permanently shatter the moral stature of our country. The crisis has already severely harmed the credibility of the United Nations. Much more importantly, it threatens the future of NATO, which had been the most successful military alliance in modern history. And it has put the United States—the world's remaining superpower—on the sidelines, while Bosnia burns.

Foreign policy should not be an exercise in naivete or cynicism. It should be a discipline requiring the highest order of judgment, soberly steeped in the awareness that the affairs of mankind are imperfect and recognizing that real options cannot offer panaceas to the bloody intents of the brutal. But U.S. foreign policy has often stood for more than the pragmatic: Our foreign policy, at its best, has been vitalized by principle.

We should be able to make clear distinctions about Bosnia. We should be able to declaim against genocide and put our actions where our denunciations are. We must abandon a policy that has been resolute in its lack of determination. We can make no argument for supporting an arms embargo that perpetuates genocide. And we must declare that we believe in the right of self-defense.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DOLE. I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, in just a minute or two I will ask that we stand in recess until 5:15 p.m., because the Republicans have a conference, and I think a number of my colleagues on the other side are at the White House discussing with the President the Bosnian resolution. There may be a chance we might bring up the rescission package tonight, too. I need to talk to Senator DASCHLE about that. So we will be under a strict time agreement, a limited number of amendments, and an agreement that the leadership on each side will vote against the amendments, as well as most of our colleagues, because this is something that has taken a long time because of a couple of Senators, who certainly are within their rights. But if we cannot reach that agreement, we will not bring it up.

I want to say just one additional word on this resolution.

Yesterday I addressed some of the criticism made by opponents of our legislation, and there are just a couple others I want to review at this point. The first criticism is that the legislation is unilateral in nature. Yes, this bill is unilateral. It provides that the United States will lift the arms embargo only after UNPROFOR withdraws—I would like to repeat, after withdrawal of the United Nations protection forces. This fact is being ignored by the administration and by some of our allies.

In my view, unilateral action as provided by this legislation is hardly a negative, but a positive. What the last 3 years of multilateral hand-wringing have demonstrated is that if the United States does not lead, action is not taken. It is time for leadership. We have been waiting, waiting and waiting for leadership. And so far nothing has happened. We are witnessing this right now. Thousands of civilians have begun to flee Zepa, as the Serbs close in. The United Nations has written Zepa off. And the hand-wringing is beginning with respect to Gorazde—the third eastern enclave. If Gorazde goes, that will be three out of six safe havens have been overrun. The French reportedly have a proposal for Gorazde that they are advocating. The British oppose stronger action and want the status quo. The White House spokesman says the administration is “leaning” toward action—but is not clear if the main objective is to forestall the fall of Gorazde or thwart this legislation.

In fact, the White House press secretary said this is a nutty idea. Well, I hope he tells that to Senator MOYNIHAN and Senator BIDEN and Senator LIEBERMAN and Senator FEINSTEIN and other Democrats who are supporting us. If it is a nutty idea, I am certain they would not want to have anything to do with it.

It is not a nutty idea. It is an idea we have been working on for years, Democrats and Republicans, to de-Americanize the conflict, lift the arms embargo, let Bosnia defend themselves without committing American troops. That is what it is all about. But I see an effort now by the White House at the last moment to stall and not have a vote on this legislation—always something better going to happen; just wait 1 more week, 1 more month. We waited 11 months. It has been 11 months since we had a vote.

In any event, leaning toward more aggressive action is not a substitute for aggressive action. And this is not for airstrikes, which the White House appears to be considering. The obstacle to airstrikes has been and continues to be opposition from some of our allies; namely, the British. Unless that hurdle is overcome, all the reports that the President is “leaning toward” airstrikes is meaningless. Moreover, while many of us in the United States Congress have urged that NATO conduct

something more than pinpricks, we must realize that the robust use of NATO air power now is an appropriate, if overdue, reaction to Bosnian Serb action, but does not constitute a policy in and of itself.

Mr. President, what this bill does is commit the United States to leading the way and lifting the arms embargo, but going first does not mean going it alone.

Last fall, nearly 100 countries—nearly 100 countries—in the United Nations General Assembly voted in support of lifting the arms embargo—over 100 countries. It is not just the United States alone.

I believe if the United States was in the lead, others would follow. I believe a number of countries, in addition to the United States, would also provide military equipment or the funds to purchase such equipment.

I also would like to turn for a moment to the argument that UNPROFOR is neutral and lifting the arms embargo would eliminate that neutrality.

First I point out that the U.N. resolutions are clearly not neutral. In imposing sanctions on Serbia, they recognize who the aggressor is. In committing to protecting the safe havens, on paper, they are acknowledging that the Bosnians need protection from this aggression. Finally, in perpetuating neutrality on the ground operationally, the U.N. peacekeepers are helping the very aggressors that have threatened to attack not only the Bosnians but the United Nations as well. This is not only absurd but a moral outrage.

Finally, I would like to comment on the idea raised by some that there should be another cease-fire and more negotiations. It seems to me that for negotiations to be successful in Bosnia, there needs to be some leverage on the side of the Bosnians. Why should the Serbs agree to anything when they are given free rein to overrun U.N.-designated safe havens?

At this point, the only negotiations that the Serbs might be interested in are the talks to arrange the surrender of the Bosnians. Well, the Bosnians are not ready to surrender. They are ready to fight and die for their country, if we only let them. That is what this debate is about. It is not Democrat; it is not Republican; it is not about liberal or conservative; it is about the U.S. Senate speaking on a very important issue. I hope we can have the vote before we adjourn today.

RECESS UNTIL 5:15 P.M.

Mr. DOLE. Mr. President, I now move that the Senate stand in recess until 5:15 p.m.

The motion was agreed to, and at 4:12 p.m., the Senate recessed until 5:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ABRAHAM).

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.